## 1NC

**1**

**Restrictions are prohibitions on action --- the aff is not**

Jean **Schiedler-Brown 12**,Attorney, Jean Schiedler-Brown & Associates, Appellant Brief of Randall Kinchloe v. States Dept of Health, Washington, The Court of Appeals of the State of Washington, Division 1, http://www.courts.wa.gov/content/Briefs/A01/686429%20Appellant%20Randall%20Kincheloe%27s.pdf

3. **The ordinary definition of** the term "**restrictions**" also **does not include** the **reporting and monitoring or supervising** terms and conditions that are included in the 2001 Stipulation.

**Black's Law** Dictionary, 'fifth edition,(1979) **defines "restriction" as**;

**A limitation** often **imposed** in a deed or lease respecting the use to which the property may be put. The term "restrict' is also cross referenced with the term "restrain." Restrain is defined as; To limit, confine, abridge, narrow down, restrict, obstruct, impede, hinder, stay, destroy. **To prohibit from action**; to put compulsion on; to restrict; to hold or press back. To keep in check; to hold back from acting, proceeding, or advancing, either by physical or moral force, or by interposing obstacle, to repress or suppress, to curb.

**In contrast**, the terms "**supervise" and "supervisor" are** defined as; **To have** general **oversight** over, to superintend **or** to **inspect**. See Supervisor. A surveyor or overseer. . . In a broad sense, one having authority over others, to superintend and direct. The term "supervisor" means an individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but required the use of independent judgment.

Comparing the above definitions, it is clear that **the** **definition of "restriction" is very different from the definition of "supervision**"-very few of the same words are used to explain or define the different terms. In his 2001 stipulation, Mr. **Kincheloe** essentially **agreed to some supervision conditions**, **but** he **did not agree to restrict his license**.

**Violation: aff doesn’t directly limit executive authority- just makes it more difficult to employ**

**Vote neg  
limits and ground- anything can indirectly affect war powers-- makes the topic bidirectional and steals core neg counterplan ground**

**Precision- restrictions is a term of art—precision key to predictable division of ground and directs our research—uniquely important early in the year**

**2**

**Targeted killing can only happen in active hostilities**

Philip **Alston 11** John Norton Pomeroy Professor of Law, New York University School of Law. The author was UN Special Rapporteur on extrajudicial, summary or arbitrary executions from 2004 until 2010.¶ 2011¶ Harvard National Security Journal¶ 2 Harv. Nat'l Sec. J. 283¶ ARTICLE: The CIA and Targeted Killings Beyond Borders. Lexis. Gender edited

**At the other end of the** definitional **spectrum is a five-part definition proposed by** Gary **Solis. For there to be a targeted killing: (i) there must be an armed conflict, either international or non-international in character; (ii) the victim must be specifically targeted; (iii) [s]he must be "beyond a reasonable possibility of arrest"; (iv) the killing must be authorized by a senior military commander or the head of government; (v) and the target must be either a combatant or** someone directly **participating in** the **hostilities**. n42 But whereas Gross seeks to use a human rights-based definition, Solis proposes one which is unsuitable outside of international humanitarian law.

**Vote neg**

**Limits- moving beyond the clear limit of hostilities opens tons of affs- any region in the world can be banned- or even don’t tk assata shakur**

**precision- targeted killing is a term of art- precision key to predictable division of ground**

**3**

**The President of the United States should:**

* Limit targeted killings to individuals who U.S. officials claim are being targeted and bring drone strike practices in line with states policies;
* Provide a public accounting of how signature strikes meet principles of distinction and proportionality;
* Review current executive authority;
* Provide unclassified information on procedures to prevent harm to civilians, investigate collateral damage, take corrective actions based on those investigations, and provide amends for civilian losses;
* Not conduct non-battlefield targeted kills without an accountable human being authorizing the strike.
* not use targeted killing as a first resort in zones outside of active hostilities
* announce the change in policy

**Evidence concludes**

**Zenko 13** (Micah Zenko is the Douglas Dillon fellow in the Center for Preventive Action (CPA) at the Council on Foreign Relations (CFR). Previously, he worked for five years at the Harvard Kennedy School and in Washington, DC, at the Brookings Institution, Congressional Research Service, and State Department's Office of Policy Planning, Council Special Report No. 65, January 2013, “U.S. Drone Strike Policies”, i.cfr.org/content/publications/attachments/Drones\_CSR65.pdf‎)

The president of the United States should

■■ limit targeted killings to individuals who U.S. officials claim are being

targeted—the leadership of al-Qaeda and affiliated forces or individuals

with a direct operational role in past or ongoing terrorist plots

against the United States and its allies—and bring drone strike practices

in line with stated policies;

■■ either end the practice of signature strikes or provide a public accounting

of how it meets the principles of distinction and proportionality

that the Obama administration claims;

■■ review its current policy whereby the executive authority for drone

strikes is split between the CIA and JSOC, as each has vastly different

legal authorities, degrees of permissible transparency, and oversight;

■■ provide information to the public, Congress, and UN special rapporteurs—

without disclosing classified information—on what procedures

exist to prevent harm to civilians, including collateral damage

mitigation, investigations into collateral damage, corrective actions

based on those investigations, and amends for civilian losses; and

■■ never conduct nonbattlefield targeted killings without an accountable

human being authorizing the strike (while retaining the potential

necessity of autonomous decisions to use lethal force in warfare in

response to ground-based antiaircraft fire or aerial combat).

**4**

**Congressional control of targeted killing destroys war fighting and turns the case.**

**Issacharoff ‘13**

Samuel Issacharoff, Reiss Professor of Constitutional Law, New York University School of Law. and Richard H. Pildes, Sudler Family Professor of Constitutional Law, New York University School of Law; CoDirector, NYU Program on Law and Security, “Drones and the Dilemma of Modern Warfare,” PUBLIC LAW & LEGAL THEORY RESEARCH PAPER SERIES WORKING PAPER NO. 13-34 Star Chamber=politicized secret court from 15th century England, symbol of abuse

Procedural Safeguards

As with all use of lethal force, there must be procedures in place to maximize the likelihood of correct identification and minimize risk to innocents. **In the absence of formal legal processes, sophisticated institutional entities engaged in repeated, sensitive actions** – including the military – will **gravitate toward their own internal analogues** to legal process, even **without** the **compulsion or shadow of** formal **judicial review.** This is the role of bureaucratic legalism63 in developing sustained institutional practices, even with the dim shadow of unclear legal commands. **These forms of self-regulation are generated by programmatic needs to enable the entity’s own aims to be accomplished effectively;** at times, that necessity will share an overlapping converge with humanitarian concerns to generate internal protocols or process-like protections that minimize the use of force and its collateral consequences, in contexts in which the use of force itself is otherwise justified. **But because these process-oriented protections are not codified** in statute or reflected in judicial decisions, **they typically are too invisible to draw the eye of constitutional law scholars** who survey these issues from much higher levels of generality. In theory, **such review procedures could be fashioned alternatively as a matter of judicial review** (perhaps following warrant requirements or the security sensitivities of the FISA court), **or accountability to legislative oversight** (using the processes of select committee reporting), or the institutionalization of friction points within the executive branch (as with review by multiple agencies). **Each could serve as a check on the development of unilateral excesses by the executive**. And, presumably, **each could guarantee that internal processes were adhered to and that there be accountability for wanton error.** **The centrality of dynamic targeting in** the **active theaters** such as the border areas between Afghanistan and Pakistan **make it difficult to integrate legislative or judicial review mechanisms**. Conceivably, **the decision to place an individual on a list for targeting could be a moment for review outside the boundaries of the executive branch**, but **even this has its drawback. Any court engaged in the ex parte review of the decision to execute someone outside the formal mechanisms of crime and punishment risks appearing as a modern variant of the Star Chamber**.64 Similarly, **there are difficulties in forcing a polarized Congress as a whole to assume collective responsibility for decisions of life and death and the incentives have turned out to not to be well aligned to get a subset of Congress**, **such as the intelligence committees, to play this role effectively**.65

**5**

**Security discourse is constructed and shapes policy- root cause of war, causes dehumanization and extermination**

Talbot 8 ( 'Us' and 'Them': Terrorism, Conflict and (O)ther Discursive Formations by Steven Talbot Defence Science and Technology Organisation Sociological Research Online, Volume 13, Issue 1Published: 21/3/2008

As a point of departure, this paper aims to explore the significance of identity[1](http://www.socresonline.org.uk/13/1/17.html#fn1)formation and negotiation as it pertains to various representations of terrorism. Particularly, this paper examines the ways in which **adversarial identities are socially constructed according to notions of difference which simultaneously encourages a comparison to, and rejection of, [O]thers**. Drawing upon the notion of the Other, this paper examines some of the ways in which identity is constructed through a variety of social and historical processes, and articulated within a range of discourses evoking different and often mutually exclusive combinations of sameness and difference. Using a social constructionist lens, I argue that **representations** of terrorism **are constructed from within specific discourses which accentuate difference**. My analysis therefore positions identity formation within a dynamic and relational context where discursive representation, ways of knowing, power and language intertwine. 1.4 Consequently, the following discussion explores identity formation and terrorism through an interpretive, constitutive and discursive lens. I start my discussion with an overview of the socially constructed or constituted nature of identity. This is followed by an exploration of the roles various discursive frameworks play in shaping representations of identity. I then examine some of the implications for viewing terrorism and identities within dichotomous frameworks, particularly within notions of Self and Other, and consequently, the discursive practice of ‘Othering.’ Finally, I interrogate the relational and discursive context of identity further by exploring the relationship between the above theoretical concerns as they pertain to polarised collective identities and intractable conflicts. Socially constituted identities 2.1 Identity construction pertains to the creation, maintenance and articulation of social identities by individuals or groups. Rummens ([2001](http://www.socresonline.org.uk/13/1/17.html#rummens2001)), draws a distinction between personal and social identities. Personal identity usually refers to the result of an identification of self, by self, or in other words the self-identification on the part of the individual. Social identity in contrast refers to the outcome of an identification of self by others, or the identity that is assigned an individual by another (p.3). Both of these concepts differ from self-identity, the individual self which is reflexively understood and worked upon by the individual through self-monitoring and self reflection ([Beck, 1992](http://www.socresonline.org.uk/13/1/17.html#beck1992); [Giddens, 1991](http://www.socresonline.org.uk/13/1/17.html#giddens1991)). 2.2 Sociological research into identity tends to focus on issues concerning the ascribed nature of identity, and the social construction and negotiation of group differences, whereas psychological approaches are more inclined to look at identity development and formation within the individual (i.e. identity searching, self concept and identity crisis). However it is important to remember that identities are not just ascribed or ‘achieved’ through socialisation processes, but are also socially constructed and negotiated between social actors. Through a sociological lens, identities by definition are socially constituted phenomena. In this sense, an individual’s or group’s identity is created, negotiated, and actively recreated through interaction with others. Identity can therefore be viewed as being a verb – it is something that one does, or is accomplished through social interaction ([West and Zimmerman, 1987](http://www.socresonline.org.uk/13/1/17.html#westzimmerman1987)). 2.3 Identity underscores how humans organise and therefore understand their social world. The notion of collective identity has been examined in classic sociological constructs like Marx’s ([1977](http://www.socresonline.org.uk/13/1/17.html#marx1977)) ‘class consciousness,’ Durkheim’s ([1960](http://www.socresonline.org.uk/13/1/17.html#durkheim1960)) ‘collective conscience’ and Weber’s ([1922](http://www.socresonline.org.uk/13/1/17.html#weber1922)) Verstehen (meaningful understanding). The commonality between these works is found in their emphasis on shared attributes, similarities, or the ‘We-ness’ of groups ([Cerulo, 1997](http://www.socresonline.org.uk/13/1/17.html" \l "cerulo1997), p.386). Thus, the construction of group identities often involves a normative component, or in other words, individuals need to be able to recognise themselves in certain qualities, characteristic or behaviours associated with their group ([Schulte-Tenckhoff, 2001](http://www.socresonline.org.uk/13/1/17.html#schulte-tenckhoff2001), p.6). This recognition of ‘we-ness’ is important given the origins of the term identity. Identity finds its linguistic roots in the Latin noun identitas, with titas being a derivation of the Latin adjective idem meaning the same. Thus, the term is comparative in nature in relation to sharing a degree of sameness with others ([Rummens, 2001](http://www.socresonline.org.uk/13/1/17.html" \l "rummens2001), p.3). Identity is therefore a relational construct, or as Connolly astutely asserts, ‘[t]here is no identity without difference’ ([1995](http://www.socresonline.org.uk/13/1/17.html#connolly1995), p.xx). 2.4 More significantly, identity constructions often emerge in response to the types of political systems governing that society. Political systems are extensions of societal identity. For example, liberal democracy is a political structure that forms and reflects a part of a societal identity construction in that it proscribes certain ideals and practices which inform members of liberal democratic societies how to live together and treat others. In turn, **the pursuit of political goals is also linked to the pursuit of identity (superpower identities inform superpower interests**). Consequently, a political system can also be viewed as a source of threat to societal identity ([Hughes, 2004](http://www.socresonline.org.uk/13/1/17.html#hughes2004), p.26). As Hughes observes, for those societies who draw their identity from non-liberal democratic (Western) traditions, the liberal democratic structure, and the values contained within this structure, may be perceived as a threat to group identity. The rhetoric of Osama Bin Laden is an example of this, with its emphasis on acts of violence against the Western, liberal democratic influences and their perceived threat to Islamic identity. 2.5 Political structures and associated organising **principles exert influence on political agendas, policy and** collective **self-definition**. Moreover, **political elites create, manipulate and dismantle identities** of nations **and** thus **shape the** subsequent **construction of allies and enemies** ([Corse, 1996](http://www.socresonline.org.uk/13/1/17.html#corse1996); [Gillis, 1994](http://www.socresonline.org.uk/13/1/17.html#gillis1994); [Zerubavel, 1995](http://www.socresonline.org.uk/13/1/17.html#zerubavel1995) cited in [Cerulo, 1997](http://www.socresonline.org.uk/13/1/17.html#cerulo1997) p.390). Identity shifts can therefore also occur based on changing socio-political factors, for example, as a result of changing policy, increased ethnic politics, and political activism. Constructivists would contend that **identities**, norms, and culture **play an integral role for understanding world politics (and related policy)** and international relations, **particularly with** its emphasis on those processes through which behaviour and **identity construction is conceptualised and legitimated by various political agencies**. The roles knowledge construction and discourse plays in facilitating this process will be explored in the following discussion. Discourse and identity 3.1 Cultural constructions of identity are shaped by ‘a series of specific dialogues, impositions, and inventions’ ([Clifford, 2004](http://www.socresonline.org.uk/13/1/17.html#clifford2004), p.14). Such a position invariably requires a closer examination of the relationship between identity construction, language, power, knowledge creation and associated discursive practices. 3.2 For Hall, **a discourse: ‘defines and produces the objects of our knowledge. It governs the way that a topic can be meaningfully talked about and reasoned about. It also influences how ideas are put into practice and** used to regulate the conduct of others’ ([1997](http://www.socresonline.org.uk/13/1/17.html#hall1997), p.44). 3.3 The same discourse (which characterises a way of thinking or the given state of knowledge at one time) can appear throughout a range of texts, across numerous sites. When these discursive events refer to the same object, say terrorism for example, and share a similar style and support a strategy, they are said to belong to the same discursive formation ([Hall, 1997](http://www.socresonline.org.uk/13/1/17.html#hall1997), p.44). **It is through these discursive formations that things/**practices **acquire** their **meaning.** However, **discursive representation is not** a **benign** practice**, for it is** often **those in positions of power** and authority **who are able to construct ‘reality’ and** thus **knowledge itself**. As Klein ([1994](http://www.socresonline.org.uk/13/1/17.html#klein1994)) explains: ‘[a] discourse, then, is not a way of learning ‘about’ something out there in the ‘real world’; it is rather a way of producing that something as real, as identifiable, classifiable, knowable, and therefore, meaningful. Discourse creates the conditions of knowing’ (cited in [George, 1994](http://www.socresonline.org.uk/13/1/17.html#george1994), p.30). 3.4 Foucault contends that knowledge is a form of power, and that power is present or exercised within decisions regarding what circumstances knowledge is applied or not. Moreover, Foucault argues that **knowledge (when linked to power) assumes the authority of ‘the truth’ and has the power to make itself true through a variety of regulatory and disciplining practices** ([Hall, 1997](http://www.socresonline.org.uk/13/1/17.html#hall1997), p.49). Knowledge (ways of knowing about others through discursive representations) therefore is constructed by humans through their interactions with the world around them and is a reflection of existing social, historical and political factors, and as such, is never neutral. 3.5 In his analysis of the socially constructed nature of knowledge, Foucault explores the production of knowledge through discourse, and particularly how knowledge about the social, the individual, and associated shared meanings are produced in specific periods. In Madness and Civilization: A History of Insanity in the Age of Reason (1988) and The History of Sexuality Volume One ([1981](http://www.socresonline.org.uk/13/1/17.html#foucault1981)), Foucault provides examples of the shifting historical significance of sexuality and mental illness and the emergence of deviant identities. In this respect, mental illness and sexuality did not exist as independent objects, which remained the same and meant the same thing throughout all periods. Rather, it was through distinct discursive formations that the objects ‘madness’ or ‘heterosexuality’ emerged and appeared as meaningful constructs. Sexual relations and desires have always been present, but the constructs ‘heterosexual’ and ‘homosexual’ were produced through moral, legal, and medical discourses and practices. Through these discourses and practices, behaviours and acts were aligned with the construction of ‘types of’ people or identities - identities which were subject to medical treatment and legal constraints designed to regulate behaviour. In this respect, social and self identities are a consequence of power reflected in historically and institutionally specific systems/sites of discourse. 3.6 As social constructs, it is important therefore to view knowledge and discourse production through the socio-historical conditions in which they are produced. In this respect, **discourses concerning** terrorism, **security** dilemmas and threat**,** and world order, **are produced within** specific historical, geographical and socio-political contexts as well as within social **relations of power**. Furthermore, **the** **controlling and legitimising aspects of discourse are such that proponents of violence are not likely to construct a narrative that is contrary to their values.** For instance, Al Qaeda is unlikely to construct a narrative that posits them in a contrary manner to their own moral values by engaging in ‘terrorist’ activities. Rather, they would position themselves as acting morally, and as victims of oppression or humiliation ([Cobb, 2004](http://www.socresonline.org.uk/13/1/17.html#cobb2004)). Similarly, the US and her coalition allies are also likely to construct a narrative which posits their involvement in a ‘fight against terror’ within a discursive framework of liberty and democracy, rather than expansionist or imperialist terms. 3.7 This paper now turns its attention to some of the ways in which identities are constituted through discursive practices which accentuate difference or sameness through the use of binaries. Dichotomous logic and identity construction Self/Other binaries 4.1 Notions of self and other and their implications for identity formation have been explored through psychoanalytical and postcolonial inquiry. In his book The Analysis of the Self: A Systematic Analysis of the Treatment of the Narcissistic Personality Disorders ([1971](http://www.socresonline.org.uk/13/1/17.html#kohut1971)), the founder of the psychology of the self Heinz Kohut extends Freud’s theory of narcissism (which has a dual orientation) in his examination of narcissistic rage and accompanying desires for revenge, and introduces the idea of ‘self-object relationships and transferences’ associated with mirroring and idealisation. Lacan ([2002](http://www.socresonline.org.uk/13/1/17.html#lacan2002)) also draws upon the notion of mirroring in regard to the identity formation of infants. Lacan’s ‘mirror stage’ occurs when the infant recognises its reflection and begins to view itself as being separate from its mother, or observes its mirrored image as viewed by the mother. The mirror stage represents the initial recognition of self as a unified subject, apart from external world and the ‘Other.’ This ‘Other’ (the first ‘big Other’ in an infant’s life being the mother) is fundamental to the constitution of self, as well as sexual identity. 4.2 In his foundational work Orientalism ([1978](http://www.socresonline.org.uk/13/1/17.html#said1978)), Edward Said examines the historical construction of the East (Them/Other) and West (Us/Self) as essentially different entities through discursive practices. Drawing upon Foucault’s notion of discourse, Said contends that Orientalism is a discourse: by which European culture was able to manage – and even produce – the Orient politically, sociologically, militarily, ideologically, scientifically, and imaginatively during the post-Enlightenment period (p. 3). 4.3 Such a **discourse draws upon** assumptions that are **imperialist** by design, privilege European sensibilities and representations of the Other, and reinforce **ideas** concerning the fixed nature of states of being and difference ([McDowell, 2003](http://www.socresonline.org.uk/13/1/17.html#mcdowell2003)). Said argues that Orientalist ideas can be found in current representations of ‘Arab’ cultures as backward, lacking democracy, threatening and anti-Western ([2003](http://www.socresonline.org.uk/13/1/17.html#said2003)). Similarly, Occidentalism[2](http://www.socresonline.org.uk/13/1/17.html#fn2) can be found in stereotypical representations of an “imperialist, corrupting, decadent and alienating West” (Nadje Al-Ali cited in [Freund, 2001](http://www.socresonline.org.uk/13/1/17.html#freund2001)). As I suggest later, these representations have become a feature of the current Western perceptions of terrorism. 4.4 As a practice, Othering is not solely a province of East versus West relations, but also exists as a strategy within other non-Westerns nations. For example, Shah ([2004](http://www.socresonline.org.uk/13/1/17.html#shah2004)), Kennedy-Pipe and Welch ([2005](http://www.socresonline.org.uk/13/1/17.html#kennedy-pipewelch2005)) and Baev ([2007](http://www.socresonline.org.uk/13/1/17.html#baev2007)) note how the ‘war on international terrorism’ **discourse has been used by Russia to legitimate** it **actions against** former Soviet republics like **Chechnya**. 4.5 Within a sociological context, identity discourse is often characterised by issues concerning essentialising and marginalising social groups, as well as totalising and categorising individuals and groups ([Gaudelli, 2001](http://www.socresonline.org.uk/13/1/17.html" \l "gaudelli2001), p.60). Categorisation results as a response to diversity, wherein categorisation assists with making the diversity (of people) more understandable. As a consequence of this, people become viewed as being more typical of certain categories (eg. a Muslim from Iraq is stereotypically viewed as being ‘Muslim’ in comparison to an Australian Muslim in Cronulla within some discursive frameworks). Following the construction and application of these categories, is a tendency to essentialise (belief in essence) as is evident in notions of ‘the laconic Aussie,’ ‘the whingeing Pom,’ and the ‘fanatical terrorist.’ In this sense, the act of ‘naming’ is akin to ‘knowing.’ 4.6 **Dividing practices** evident in the categorisation and essentialising processes which inform the production of binaries reflect power struggles, as they **primarily entail an external authority imposing a ‘condition of life upon people’** ([Gaudelli, 2001](http://www.socresonline.org.uk/13/1/17.html" \l "gaudelli2001), p.74) **that are supposed to have certain essences.** **These power relations become evident in the abilities of claim-makers** or particular **agents to make certain discourses,** categories and labels **acceptable and make them ‘stick’** as it were. In turn, essentialism results in reifying culture by viewing cultural systems as being discrete and homogeneous units (nationally, ethnically and ideologically), which are ‘naturally given’ and fixed in locality ([Jones, 1999](http://www.socresonline.org.uk/13/1/17.html#jones1999)). Here it is important to remember, that it is not culture that is ‘found’ or ‘discovered’ out in the field, but individuals who act and interact and express their views of culture ([Schulte-Tenckhoff, 2001](http://www.socresonline.org.uk/13/1/17.html#schulte-tenckhoff2001), p.5). This paper contends that it is the relations between groups and related boundary making practices (insider/outsider, Self/Other) rather than ‘traits’ which are important indicators and producers of identity. As discussed above, **binaries** such as those of Self/Other **have a tendency to convey world views in** concrete**, simplified** and often **imperialist ways** ([Berry, 2006](http://www.socresonline.org.uk/13/1/17.html#berry2006)). The process of ‘Othering’ is commensurate with identification (as culture, community, or nation) which further entails an act of differentiation, authentication, and at times, exclusion – creating boundaries between members of the ‘in’ group and outsiders. In this sense the: ‘Self/Other relation induces comparisons used by social actors to describe themselves or to describe others, depending on their location. **In locking a given group into a substantially transformed identity, one constructs and immobilises this relation so that it operates in favour of those to whose advantage it is’** ([Schulte-Tenckhoff, 2001](http://www.socresonline.org.uk/13/1/17.html#schulte-tenckhoff2001), p.11). 4.7 Self/Other relations are therefore ‘matters of power and rhetoric rather than of essence’ ([Clifford, 2004](http://www.socresonline.org.uk/13/1/17.html#clifford2004), p.14). Within this context, boundary-making practices are a way of ‘locking’ ‘imagined communities’ into strategically informed ontological states of being. Moreover, these boundaries are inter-subjectively determined, that is, they are constructed through an emphasis on only a subset of many identity labels that apply (eg. religion). President George Bush has described his war on terror as a ‘crusade’ and a ‘divine plan’ guided by God. These sentiments are similar to Islamic calls for Jihad, with religious terrorists viewing themselves as God’s people and their enemies as God’s enemies, ‘infidels’, or sinners. As a consequence, for both sides, the conflict takes on the form of a ‘spiritual battle.’ Thus religious doctrine acts as fuel for Islamic-based terrorism as it does for the US led ‘war on terror’. Inside this discursive framework, both would contend that each party’s religion is the only meaningful one ([Berry, 2006](http://www.socresonline.org.uk/13/1/17.html#berry2006) p.4). Indeed, the **construction of identity plays a key role in** relation to the prospect for **religious and political violence**. Hence, identity claims invariably informs interests. The call by fundamentalist Islamists for a Jihad on Western nations for example is a realisation of both interests and identities simultaneously. In this sense, **identities and interests are mutually reinforcing concepts and incapable of being pursued separately** ([Hughes, 2004](http://www.socresonline.org.uk/13/1/17.html#hughes2004), p.7). 4.8 Identity negotiation highlights the political nature of social identifications of Self and Others within and between groups. **Contestation arises out of** those ascribed social or collective **identities that do not align with** an individual’s or group’s **self-definition**, **highlighting global and national tensions,** as well as power dynamics which frequently underplay such identification processes. Hence **Self/Other struggles are ultimately struggles of legitimacy and meaning,** frequently **enacting and fuelling conflict**. Indeed, **it is in the creation of Self and an all-threatening Other that the state,** or prominent figures within terrorist networks like Al Qaeda, **use** their **power** and available resources **for legitimated violence** ([Grondin, 2004](http://www.socresonline.org.uk/13/1/17.html" \l "grondin2004)). Enemies and Others 4.9 Identity boundaries are functional in that they allow us to distinguish humans from animals, culture from nature, as well as differences between classes and nations. **Using identity to distinguish in this way is the foundation for insecurity and conflict**. Such **boundaries allow the** demarcation of ‘Us’ versus ‘Them’ and ‘domestic’ versus ‘foreign.’ Without the creation of these distinctions, the ‘enemy’ could not be identified ([Campbell, 1998](http://www.socresonline.org.uk/13/1/17.html#campbell1998) cited in [Hughes 2004](http://www.socresonline.org.uk/13/1/17.html#hughes2004)). 4.10 Sociology of the enemy examines the social **process of constructing enemies**, and within the context of identity politics and negotiation, creating Others **for advantageous reasons**. **Politicians, other charismatic leaders, social elites, and the military alike, are in prime positions to construct particular representations of the enemy**. In turn, **these representations are** also **influenced by** a host of other actors **(academics and intellectuals,** advisors), and array of sources and representations at their disposal. The proliferation of **these representations** through the internet, media reports, government documents, books, articles, and film has **led to an expansion of an enemy discourse** (as part of a deliberate and incidental public diplomacy[3](http://www.socresonline.org.uk/13/1/17.html#fn3)), assisting the articulation of a dualistic collective moral righteousness **which attempts to legitimate the destruction of the Other** ([Aho, 1994](http://www.socresonline.org.uk/13/1/17.html" \l "aho1994); cited in [Cerulo 1997](http://www.socresonline.org.uk/13/1/17.html#cerulo1997); [Berry, 2006](http://www.socresonline.org.uk/13/1/17.html#berry2006); [Hansen, 2004](http://www.socresonline.org.uk/13/1/17.html#hansen2004)). 4.11 Orientalist and occidentalist inspired representations of ‘enemies’ can be seen at work within the current terrorism discourse. The Australian and US national security ideology for example frames the terrorism discourse within a system of representations that defines Australian and US national identities through their reference to the Un-Australian, Un-American, Un-Western Other, usually confined to a Muslim/Islamic centre located in the Middle East, but also extending by association to Muslim/Islamist global diasporas. Similarly, representations of the Un-Eastern, Un-Muslim or Non-Islamic Other are employed by some Islamic fundamentalist groups to assert their identity and cause. Both parties construct an enemy that reflect and fuel ideological strains within the American/Australian body politic and Islamist terrorist networks ([Grondin, 2004](http://www.socresonline.org.uk/13/1/17.html" \l "grondin2004), pp.15-16). The use of dichotomous logic in these representations fails to account for degrees of ‘Otherness’ and ‘Usness,’ or diversity, within both populations. In this sense, the homogenising effects of such a discourse fails to acknowledge an ‘other – Other,’ namely, a more moderate Muslim population located within an Islamic centre and its periphery. Similarly, distinctions can be drawn between an Australian ‘Us’ and her United States counterpart. In either case, the **discursive construction** of a homogenous West and ‘Rest’ **has the effect of silencing dissenting voices** residing within both camps. 4.12 Using simple dichotomies like ‘Us’ and ‘Them’ or ‘friend’ or ‘foe’ ignore the multidimensionality of identity and fail to recognise the interconnectedness and complexity of modern life. The use of such terms also highlights the emotional underpinnings for issues of security. **With** their use of an **enemy discourse** which incorporates notions of religiosity, good versus evil, and right and wrong, **both the Taliban and US** led ‘coalition of the willing’ **appeal to beliefs over empiricism** (what is knowable, measurable and debatable) – belief systems **grounded in notions of faith where it is important to believe things to be true, rather than actually being true** ([Berry, 2006](http://www.socresonline.org.uk/13/1/17.html#berry2006), p.5). Similarly, claim making of this nature appeals to emotions (like hatred, revenge and fear) in contrast to logic in the sense that they encourage communities to feel in particular ways which are less likely to be challenged than appeals to think in particular ways ([Loseke, 2003](http://www.socresonline.org.uk/13/1/17.html" \l "loseke2003), p.76). Hence, Berry ([2006](http://www.socresonline.org.uk/13/1/17.html#berry2006)) contends, that because definitions of enemies are often not empirically based, they can fluctuate according to the needs of the definers. 4.13 With the creation of ‘identifiable’ enemies, defining ‘Us’ automatically entails defining ‘Them,’ with ‘Them’ being the social foe or ‘evil’ ([Huntington, 1996](http://www.socresonline.org.uk/13/1/17.html#huntington1996)). As Burman and MacLure ([2005](http://www.socresonline.org.uk/13/1/17.html#burmanmaclure2005)) remind us, ‘there is always a hierarchy in these oppositions’ for there is an essence of a higher principle or ideal articulated in one, and something lesser, or subordinate in the other (p.284). Thus, within this hierarchical value system of prioritised logic, good is seen as coming before evil, positive before negative, Us before Them, and real over the written. Moreover, **to label a population as evil is to render the other ‘sub-human.’** We are told of the ‘Evil doers,’ Axis of evil,’ Osama Bin Laden the evil, America the evil, capitalism the evil, and terrorism the evil, and evil acts ([Davetian, 2001](http://www.socresonline.org.uk/13/1/17.html" \l "davetian2001)). The ensuing pursuit and **eradication of this evil** within the context of **calls for** jihad and a corresponding ‘war on terror’ also implies a ‘promotion of **war** more willingly than accommodation’ ([Armitage, 2003](http://www.socresonline.org.uk/13/1/17.html" \l "armitage2003), p.202). However, as is the case with dichotomous logic, good and evil are two sides of the same coin, or mutually sustaining concepts. Thus, to speak of eradicating evil in this context is a nonsensical pursuit. As Baudrillard explains: ‘We believe naively that the progress of the Good, its advance in all fields (the sciences, technology, democracy, human rights), corresponds to a defeat of Evil. No one seems to have understood that Good and Evil advance together, as part of the same movement…Good does not conquer Evil, nor indeed does the reverse happen: they are once both irreducible to each other and inextricably interrelated’ ([2002](http://www.socresonline.org.uk/13/1/17.html#baudrilard2002), p.13). Dichotomous logic can be applied to an examination of security and associated threat discourses. Threats and (in)security 4.14 Stern defines terrorism as ‘an act or threat of violence against non-combatants with the objective of exacting revenge, intimidation, or otherwise influencing an audience’ ([2003](http://www.socresonline.org.uk/13/1/17.html#stern2003), p.xx). One of the aims of this act of violence is to instil fear in the target audience. However, to better understand this notion of terrorism and threat, one also needs to understand the discursive power of claim makers, and those in positions of authority (whether they be political parties, clerics and other elites or the military for that matter) in shaping or co-constituting them so. As Campbell ([1998](http://www.socresonline.org.uk/13/1/17.html#campbell1998)) alludes: ‘[d]anger is not an objective condition. It is not a thing which exists independently of those to whom it may become a threat…nothing is a risk in itself;…it all depends on how one analyses the danger, considers the event’ (pp.1-2). 4.15 To this end, the securitization school of thought developed by the Copenhagen School examines the socially constructed dimension of security threats by looking at the ways in which processes like social interaction form as well as alter interests, and in the process, construct or constitute security. By using an inter-subjective lens to look at security, proponents of this school explore the extent to which power relationships and language as expressed through **discourse shape understandings of threats and subsequent security responses**. They argue that by labelling something a security issue or threat, actors invoke the right to use whatever means to stop that threat. Here language is akin to a ‘speech act,’ or in other words, relates to the act of speaking in a way that gets someone else to act ([Hughes, 2004](http://www.socresonline.org.uk/13/1/17.html#hughes2004), p.14). 4.16 Labelling something as a security issue, or some group or community as a threat can therefore be seen as a powerful political tool in terms of the behaviour of governments and other interest groups. Indeed, **to label a problem a ‘security’ issue** **or a ‘threat’** **gives this problem a special status,** and one **which can legitimate extraordinary measures to tackle it.** Within the current climate of terrorism, **threats to security are often characterised as emanating from Others who view their global neighbours rapaciously and are ready to pounce at first sign of weakness.** 4.17 The following discussion examines the relational and socially constructed nature of identity and its relevance to various discursive representations of terrorism through its analysis of polarised collective identities and intractable conflict. Polarised collective identities and conflict 5.1 **Protracted conflicts have dominated the international arena and have resulted in** much of **the violence and terrorism** witnessed **today**. These types of conflict usually centre on deep-rooted issues such as struggles over material, human needs, or an historical grievance. The **relationships** which feature in these forms of conflict **comprise of self-perpetuating spiral of violent interactions in which each party develops a vested interest in the continuation of the conflict**. **They** also characteristically **entail ‘polarised perceptions of hostility and enmity’** ([Bercovitch, 2003](http://www.socresonline.org.uk/13/1/17.html" \l "bercovitch2003)). 5.2 In the case of polarised collective identities and protracted conflict, **conflict invariably centres on identity struggles**, categorisation, **and perceived difference** (and related issues concerning values and beliefs). Social and collective **identity construction is by nature a source of indirect and direct threat.** As Hughes explains: ‘[i]ndirectly, identity construction contains the possibility for identity threat since the adoption and practice of one identity necessarily precludes the fulfilment of another by the same audience’ ([2004](http://www.socresonline.org.uk/13/1/17.html#hughes2004), p.24). 5.3 Direct threats are expressed in terms of an identity’s stance toward the existence and identification of ‘others.’ These stances can occur along a continuum ranging from accepting to eliminating ([Hughes, 2004](http://www.socresonline.org.uk/13/1/17.html#hughes2004), p.24). It is important to note, however that identity contains the potential for, rather than the inevitability of conflict. Nevertheless, an examination of the literature and theories concerning identity, Self-Other differentiation, highlights the extent to which individuals not only display a tendency for assigning people with whom they interact into a class of Self/Other, but also show how individuals treat more favourably other individuals whom they consider Self, than those who they regard as Other. ‘Inclusive fitness’ and social identity theories for example have shown how sharing ‘genetic material,’ or having similar observable characteristics such as looks, religion, ethnicity (markers of ‘in-group’ and ‘out-group’ status) informs behaviour between groups/others ([Ben-ner, McCall, Stephane, and Wang, 2006](http://www.socresonline.org.uk/13/1/17.html#ben-ner2006)). 5.4 The concept collective identity refers to a ‘shared place’ in the social world, or the ‘we’ aspect of identity that develops through a process of self-categorization, identification and social interaction. Moreover, whilst these identities can be chosen freely by individuals, they can also be imposed by others who have the resources and authority to do so (as is the case with labelling Others evil, a threat, or enemies through the discursive practices highlighted above). Collective identities serve many symbolic, practical and normative functions such as fulfilling needs for belonging, distinctiveness, respect, unity and status. They also provide a justification for claims and a focus for the maintenance of a distinctive culture or way of life ([Coleman, 2004](http://www.socresonline.org.uk/13/1/17.html#coleman2004)). Such a position presumes or utilises a sense of ‘we-ness,’ or group homogeneity, which discounts levels of heterogeneity that may exist. 5.5 As stated above, protracted conflicts are rooted in the perceived threat to basic human needs and values, as well as concerns over group dignity, recognition, security and distributive justice. When these aspects of collective identities are denied or threatened in some way, intractable conflict occurs. As the conflict intensifies, antagonistic groups become increasingly polarised through an in-group discourse and out-group hostilities focussed on the negation, defamation and vilification of the out-group ([Druckman, 2001](http://www.socresonline.org.uk/13/1/17.html" \l "druckman2001); [Fordham and Ogbu, 1984](http://www.socresonline.org.uk/13/1/17.html#fordhamogbu1984); [Hicks, 1999](http://www.socresonline.org.uk/13/1/17.html#hicks1999); [Kelman, 1999](http://www.socresonline.org.uk/13/1/17.html#kelman1999) cited in [Coleman, 2004](http://www.socresonline.org.uk/13/1/17.html#coleman2004)). 5.6 In his review of the literature, Coleman ([2004](http://www.socresonline.org.uk/13/1/17.html#coleman2004)) highlights a series of conditions, processes and structural issues that are conducive to the development and maintenance of polarised collective identities and related conflict. Eight of these conditions include: 1. ‘Situations where there is a pervasive belief in enduring hostilities where the disputants feel locked – into the intensity and oppression of the conflict relationship’ ([Coleman, 2004](http://www.socresonline.org.uk/13/1/17.html#coleman2004), p.11; [Fordham and Ogbu, 1984](http://www.socresonline.org.uk/13/1/17.html#fordhamogbu1984)). 5.7 During his speech to the National Guard in February 2006, President George [Bush](http://www.socresonline.org.uk/13/1/17.html#bush2006) talks of the ongoing nature and progress of the War on Terror: …On September the 11th, 2001, our nation saw that vast oceans and great distances could no longer keep us safe. I made a decision that day -- that America will not wait to be attacked again. (Applause.) And since that day, we've taken decisive action to protect our citizens against new dangers. We're hunting down the terrorists using every element of our national power -- military, intelligence, law enforcement, diplomatic, and financial. We're clarifying the choice facing every nation: In this struggle between freedom and terror, every nation has responsibilities -- and no one can remain neutral… 5.8 Implied within this discourse is the notion that if you are not with us, then you are against us, and thus a potential enemy. The discussion also makes it clear that there is no room for negotiation with, or accommodation to, the enemy. The view that terrorists are also locked into a zero-sum battle has also been reported. R. James Woolsey has been quoted in the National Commission of terrorism as saying, “today’s terrorists don’t want a seat at the table, they want to destroy the table and everyone sitting at it” ([Morgan, 2004](http://www.socresonline.org.uk/13/1/17.html#morgan2004), pp.30-31). 2. The involvement of ‘salient aspects of identity’ (cultural differences) ‘where the in-group and out-group can be easily differentiated’ ([Coleman, 2004](http://www.socresonline.org.uk/13/1/17.html#coleman2004), p.12; [Gurr, 2000](http://www.socresonline.org.uk/13/1/17.html#gurr2000)). 5.9 The representation of the Muslim/Islamic Other with its emphasis on radically different values systems, becomes evident in references to religious motivations for terrorist attacks – religious ideals which are positioned in opposition to more ‘moderate’ Christian values. As argued above, both often use religious justifications as part of their claims making and their respective calls for a ‘Jihad’ on the US and her Allies, and the US led ‘War on Terror.’ Similarly, Esmer ([2002](http://www.socresonline.org.uk/13/1/17.html#esmer2002)) and Norris and Inglehart ([2002](http://www.socresonline.org.uk/13/1/17.html#norrisinglehart2002)) note how hallmarks of Western democracies which are built upon principles of rights (the ‘Land of the Free’), gender equality, sexual liberation pose a threat to traditional values extant in some Islamic cultures. Representations of this kind accentuate perceived cultural differences. In this sense, culture can be viewed as having three components: an empirical aspect (culture understood as communities with their own sets of identifiable, observable, and transferable cultural traits); an analytical aspect (culture used as a conceptual tool) and more significantly a strategic aspect (instrumentalisation of culture/religion to advance identity claims) (LCC, 2001, p.4). 3. ‘Where there exists the perception of negative treatment or threat to an identity group of high centrality and importance’ ([Coleman, 2004](http://www.socresonline.org.uk/13/1/17.html#coleman2004), p.12; [Fordham and Ogbu, 1984](http://www.socresonline.org.uk/13/1/17.html#fordhamogbu1984)). 5.10 There will be in most issues concerning security, a structure of two basic discourses, which articulate radically differing representations of identity (whether they be the humiliated other, the freedom fighting champion, or fanatical terrorist). Many ethnic and religious conflicts that cover the globe are fuelled by stories of humiliation, which in turn, are the basis for stories of revenge. Authors like Hassan ([2004](http://www.socresonline.org.uk/13/1/17.html#hassan2004)), Bendle ([2002](http://www.socresonline.org.uk/13/1/17.html#bendle2002)), Cobb, ([2004](http://www.socresonline.org.uk/13/1/17.html#cobb,2004)) and Davetian ([2001](http://www.socresonline.org.uk/13/1/17.html#davetian2001)) have noted how (suicide) terrorist attacks offer self empowerment in the face of powerlessness, redemption in the face of damnation and honour in the face of humiliation. 5.11 Group boundaries are also often delineated according to symbolic, spatial, religious and social referents, ensuring collective identification within, while simultaneously ensuring the exclusion of outsiders. In this respect, the symbolic attacks on the Pentagon, Twin Towers, and the planned attack on the Whitehouse, represent an attack on the pillars of Western democracy and capitalism, and as such, threats to ‘ways of life’ and identity. 4. ‘High mortality salience where death-related anxieties motivate people to become more deeply committed to their cultural groups as a means of buffering such anxiety’ ([Coleman, 2004](http://www.socresonline.org.uk/13/1/17.html#coleman2004), p.12; [McCauley, 2001](http://www.socresonline.org.uk/13/1/17.html#mccauley2001)). 5.12 Humphrey argues that the impact of **September 11th** as reported by real time coverage on international television networks, “**was seductive in conjuring up** the sense that we are living in an era of ubiquitous and even **world-ending violence**” ([2004](http://www.socresonline.org.uk/13/1/17.html#humphrey2004): 3). The **fear of apocalyptic violence posed by WMD was a major justification for pursuing a pre-emptive war against Afghanistan and Iraq**. In turn, a ‘death-related anxiety’ was felt by Western nations with the prospect of Weapons of Mass Destruction (WMD) falling into the hands of Osama Bin Laden and Al Qaeda terrorist networks. These fears were not alleviated when George W. Bush for example asserted the ‘terrorist groups’ would use WMD ‘without a hint of conscience’ ([Bullimer 2002](http://www.socresonline.org.uk/13/1/17.html" \l "bullimer2002)). By **linking** these two issues **(terrorism and WMD)** political **discourses** of this **kind reified terrorism and WMD**, setting into action a series of actions designed to control their proliferation. 5.13 Structural issues which act to reinforce and maintain polarised collective identities include: 5. ‘A negation of the Other’ ([Coleman, 2004](http://www.socresonline.org.uk/13/1/17.html#coleman2004), p.17). 5.14 This, according to Coleman is the ‘fundamental aspect of the in-group’s identity’ (17). Identity creation through negation entails making a statement of in-group’ identity with reference to what it is not, or does not consist of, for example ‘I am a Christian, not a Muslim.’ Strategies employed in the negation of the Other also include: marginalisation of ethnic and religious groups through naming; racialisation; criminalisation; and stigmatisation. Response strategies of the ‘out-group’ include: collective resistance to ascribed identities; group empowerment; demands for collective group rights (territorial claims) in an attempt to secure greater autonomy, legitimisation and social control ([Rummens, 2001](http://www.socresonline.org.uk/13/1/17.html" \l "rummens2001), p.18). 6. ‘The outgroup images become negative, homogeneous, abstract and stereotypical’…particularly in regards to the productions of ‘enemy images’ which ‘contain an emotional dimension of strong dislike…these **images tend to become self-fulfilling and self-reinforcing**, serving important interests and needs’ ([Coleman, 2004](http://www.socresonline.org.uk/13/1/17.html#coleman2004), pp.17-18; [Stein, 1999](http://www.socresonline.org.uk/13/1/17.html#stein1999); [Toscano, 1998](http://www.socresonline.org.uk/13/1/17.html#toscano1998)). 5.15 Implicit within ‘Us/Them,’ ‘East/West,’ ‘Good/Bad’ and ‘Self/Other’ binaries is the notion that opposing identities are relatively homogenous. The **use of** these non-specific yet **all-inclusive tags** also **serves to dehumanise and depersonalise a highly abstracted Other**. In turn, depersonalisation allows social stereotyping, group cohesiveness and collective action to occur. The construction of absolutist discourses of this kind are an important vehicle for understanding conflict: ‘[a]lthough generally described as integrated and homogensous, communities as loci of production, transmission, and evolution of group membership foster conflict through the negotiation and manipulation of social representations’ (LCC, 2001, p.6). 5.16 Here, the demarcation of the common enemy/Other assists with the mobilisation of one group against another ([Aho, 1994](http://www.socresonline.org.uk/13/1/17.html" \l "aho1994)). **Identity demarcation** of this kind further **allows the mobilisation of audiences to carry out conflict**. President Bush for example has made many references to ‘evil doers’. He has been quoted as saying ‘we're on the hunt...got the evildoers on the run...we're bringing them to justice’ and ‘they kill without mercy because they hate our freedoms...’ ([Sample, 2006](http://www.socresonline.org.uk/13/1/17.html#sample2006), [The White House, 2001](http://www.socresonline.org.uk/13/1/17.html#the%20white%20house2001)). The emotive language used in ‘speech acts’ of this kind are designed to elicit ‘in-group’ distinctiveness and cohesion through the negation and disparagement of the ‘out-group’ (terrorist organisations). The use of terms ‘evil doers,’ ‘them,’ and ‘they’ are interesting however in the sense that they refer to an enemy that extends beyond the confines of terrorist organisations like Al Qaeda. 7. ‘A clear and simplified depiction of good (us) and evil (them) that serves many functions’ ([Brown and Gaertner, 2001](http://www.socresonline.org.uk/13/1/17.html#browngaertner2001); [Coleman, 2004](http://www.socresonline.org.uk/13/1/17.html#coleman2004), p.18). 5.17 By framing their conflict within a discourse which accentuates a struggle between good and evil, both religious terrorist groups and their Western-led protagonists, view non-members of either camp to be ‘infidels’ or ‘apostates’ ([Cronin, 2003](http://www.socresonline.org.uk/13/1/17.html#cronin2003)) and ‘immoral’ or ‘fanatical’ respectively. The maintenance of such a discourse can be seen as serving a dual purpose; namely, to dehumanise the respective victims on both sides of the conflict, and sustain in-group and out-group identities. 8. ‘In extreme cases, pain and suffering for one’s group and one’s cause come to be considered meritorious’ ([Coleman, 2004](http://www.socresonline.org.uk/13/1/17.html#coleman2004), p.19; [Zartman, 2001](http://www.socresonline.org.uk/13/1/17.html#zartman2001)). 5.18 Martyrdom is a well documented motivation for engaging in terrorist activity. From 1996-1999, Nasra Hassan, a United Nations relief worker in Gaza interviewed 250 aspiring suicide bombers. In one interview, the late spiritual leader of Hamas, Sheikh Yasin, told her that martyrdom was a way of redemption, "[l]ove of martyrdom is something deep inside the heart. But these rewards are not in themselves the goal of the martyr. The only aim is to win Allah's satisfaction. That can be done in the simplest and speediest manner by dying in the cause of Allah. And it is Allah who selects martyrs" ([Hassan, 2004](http://www.socresonline.org.uk/13/1/17.html#hassan2004), p.1). Conclusion 6.1 This paper has explored some of the issues concerned with identity formation, construction and negotiation. In doing so, this paper has focussed on the socially constructed aspects of identity, and in particular, the extent to which social identities are subjectively constructed according to perceived differences in comparison to others. Hansen contends, identity is “always a relational concept, and it is constructed within discourses, not given by the thing itself” ([2004](http://www.socresonline.org.uk/13/1/17.html#hansen2004), p.4). 6.2 Meaning is therefore also relational, for the identification of/with difference between imagined communities like the East and West denotes, or holds meaning. Consequently, identity construction involves a degree of ‘Othering’, and within this context, social identities can be constructed and understood as being more or less threatening and different. Issues of Otherness are central to understanding terrorist activity, and are a feature of security discourses girding the current ‘war on terror.’ To this end, this paper has examined the relationship between power and the formation, emergence, and mobilisation of culturally-based collective identities and their expression through representation, narratives, discourse and language. 6.3 Using a social constructionist and a somewhat postcolonialist inspired analysis, this paper questions the utility of dichotomies like Self/Other, insider/outsider, Us/Them, Good/Evil used within terrorist discourses. The ensuing discursive formation shapes the ways in which terrorism can be meaningfully talked about, understood, and tackled. In the process of defining and establishing difference, the discourse of the Other is also highlighted, since such definitions invariably allude to an object in terms of what it is not. Such a practice entails the social construction of some other person, group, culture or nation as being different and deficient from one’s own. Hence as Simon Dalby ([1997](http://www.socresonline.org.uk/13/1/17.html#dalby1997)) observes, “specifying difference is a linguistic, epistemological and, most importantly, a political act; it constructs a space for the other distanced and inferior from the vantage point of the person specifying the difference” (cited in [Grondin, 2004](http://www.socresonline.org.uk/13/1/17.html#grondin2004), p.5-6). For Said, accentuating difference in this way is central to dichotomous representations of the Self and Other, and through the lens of Orientalism, the creation of a self serving discourse which privileges the world-view of the West. 6.4 When examining issues concerning what is terrorism, who practices it and why, as well as appropriate responses to this activity, this paper contends that such **issues are often clouded by** a rhetoric **(discourse) that has deflected attention away from** political and moralconcerns **underlying** political **violence**. This paper has also argued that utilising dichotomous logic in the construction of an enemy is a counterproductive strategy for grappling with terrorism. The use of **binaries** like Good/Evil and Us/Them **assist with the construction of a dehumanised Other** who cannot be reasoned with, thus **repudiating calls for negotiation, and** in the process, **reducing incentives to understand difference**. **Demonising the enemy** in such a manner, **amplifies fear and alarm,** and **perpetuates cycles of** revenge and **retaliation which necessitate more violent responses** to perceived injustices. In this sense**, the production** and maintenance **of a West and Rest dichotomy,** a dichotomy which characterises current terrorist and security discourses**, has** also **lead to the creation of mutually sustaining antagonisms ensuring further conflict. 6.5 Consequently, it is important to rethink the binary oppositions** employed within the social constructions of other socio-cultural groups, enemies or threats, and national identities. When employed within a national security context, **these** dichotomies not only serve to reify imagined differences between communities, but also may **inflame hostilities through** the **continuation of oppositional identities** and relations which are **viewed as** being **fixed, and** thus **resistant to change. A way around this binary impasse is** the **construction of counter-discourses** which contain dual positions for both parties as victims and as agents of conflict. As long as both sides represent themselves as being victims, rather than perpetrators of violence, more violence will ensue. Moreover, another way **to challenge the legitimacy of dichotomous logic is to create a counter-discourse** highlighting the diversity extant within ‘so-called’ homogenous populations.

**Role of the ballot is to either accept or reject the affs securitization—prior to action**

**Saltera 8** (Securitization and desecuritization: a dramaturgical analysis of the Canadian Air Transport Security Authority Mark B Saltera School of Politics, University of Ottawa, Ottawa, Ontario, Canada K1N 6N5. E-mail: msalter@uottawa.ca, , 2008

This model of settings for securitizing moves fits cleanly with Paris School interventions on the trope of risk (Aradau and van Munster 2007; Aradau et al. 2008). However, it is precisely because security plays differently to each audience, is used differently by different speakers, and changes in its meaning that we need to expand our analysis of how securitizing moves are accepted or rejected. Bigo (2006: 7) uses the notion of 'field' to demonstrate how 'these professions do not share the same logics of experience or practice and do not converge neatly into a single function under the rubric of security. Rather, they are both heterogeneous and in competition with each other'. This article offers a way into that field analysis of securitization, that is not reduced to linguistic analysis, through a dramaturgical analysis of setting: within each securitizing move, we must consider who may speak, what may be spoken, and what is heard. Top of page Securitization Securitization theory has been an incredibly fruitful approach for the study of security. Having disaggregated 'state security' into several sectors (military, political, societal, economic, and ecological), Buzan argues that 'the question of when a threat becomes a national security issue depends not just on what type of threat it is, and how much the recipient state perceives it, but also on the intensity with which the threat operates' (1991: 133–4). This was expanded by Buzan, Waever, and de Wilde in the formal model of securitization: 'the intersubjective establishment of an existential threat to have substantial political effects...to break free of procedures or rules he or she would otherwise be bound by...' (1998: 25). **The attempt at securitization is called a 'securitizing move', which must be 'accepted' or rejected by the target audience**. The authors argue that the conditions for success are (1) the internal grammatical form of the act, (2) 'the social conditions regarding the position of authority for the securitizing actor — that is, the relationship between the speaker and the audience and thereby the likelihood of the audience accepting the claims made in a securitizing attempt, and (3) features of the alleged threats that either facilitate or impede securitization' (1998: 33). There is room within the original cast of the theory to expand the notion of facilitating conditions or impediments for securitizing moves — but little direction as to what those might be. In this reading, the second factor — these social conditions — is under-determined and must be explored further. In the debate between the CS, so named in a response by McSweeney (1996, 1998), subsequent replies (Buzan and Waever, 1997), and a provocative intervention by Williams (2003), a number of critiques of the model of securitization were raised. The CS was faulted by McSweeney for appearing to give an ontological pre-existence to the 'speaker' and 'audience' that is at odds with a more processual or constructivist perspective of identity (1996: 83). Williams argued that different kinds of speech might constitute an act, and made an important theoretical connection to Schmittian politics of sovereign exceptionality. Williams wrote that the CS process of securitization — notably that securitization implies depoliticization — can be found in other theories of sovereign authority, and that securitizing moves are an attempt by the sovereign to decide the exception and thus remove the sector from democratic debate (2003). Buzan, presented a spectrum of how issues might be weighted: 'nonpoliticized... through politicized... or securitized' (1998: 23). Within this account, the CS appears to represent securitization as a threshold — particularly within a democratic society. Either a threat is represented and then accepted as a security issue, or it remains contested within the realm of normal, deliberative politics. Successful securitization is at root a political process, but the actual politics of the acceptance are left radically under-determined by this model. The authors argue that **'the issue is securitized only if and when the audience accepts it as such... (it must) gain enough resonance for a platform to be made from which it is possible to legitimize emergency measures**...' (1998: 25). **It is precisely the dynamics of this acceptance, this resonance, this politics of consent that must be unpacked** further. The Copenhagen School, certainly open their model to consideration of the 'external, contextual, and social roles and authorized speakers' of the speech act 'and, not least, under what conditions (i.e. is the securitization successful)' (1998: 32). But, within their model, there is no frame for how securitizations are successful or fail. A subsidiary point that is worth noting: these external and internal **conditions for securitization appear to work in reverse for the process of desecuritization** (Wæver 1995). **The speaker proposes that there is** not a threat, or at least **not a threat that is existential, and that the problem can be comprehended or managed within the rubric of normal politics**. There are a number of assumptions within articles about securitization theory about the differential ease or difficulty of securitization and desecuritization. These unexplored assumptions arise because there is no theory for the actual process of the success or failure for a securitizing or desecuritizing move. The statist model of securitization does not match the complexity of contemporary social dynamics of security. First, other non-state actors must be included in the model, as demonstrated by Bigo (2006) and others. Security is not contained solely within the traditional boundaries of the state and the authority to make securitizing moves not limited to state actors. Second, two temporal dimensions must be added to considerations of securitization and desecuritization: the duration of the securitization and the entropy of the public imagination. Some issues, such as the war on drugs, rose and faded in the public imagination, largely independent from the 'actual' or empirical degree of threat (Campbell 1993; Aradau 2001). Third, securitization is not an instantaneous or irrevocable act. Rather securitization reflects the complex constitution of social and political communities and may be successful and unsuccessful to different degrees in different settings within the same issue area and across issues. Floyd demonstrates convincingly that desecuritization is entirely 'issue-dependent rather than static' (2007: 349). Nor is securitization an act that removes an issue from deliberative politics forever. Rather, studies of securitization need to account for the movement of issues into and out of the security sector over time. An issue that has faded from the public view may rest within the security frame or enjoy a kind of 'entropy' where the public, elite, technocratic, or scientific communities assume that exceptional security measures have lapsed in the face of a threat that no longer seems pressing or relevant. Hysteria over the presence of communists and homosexuals within government departments no longer seems a national security threat, in the way that McCarthy and others described. For example, a securitization act may be successful with a scientific or technocratic community, and yet fail in the elite and popular realm, such as the debate over global warming during the 1980s and 1990s. A process of desecuritization may occur within popular politics, while elites and professionals remain unconvinced, such as transportation safety. Doty examines how the Minutemen along the US–Mexico border consider themselves to be acting in a 'decisionist' mode, even though they are not sovereign actors (2007: 129–31). A particular group has successfully securitized illegal migration at the border for a segment of the population, while simultaneously human rights groups — by placing water in the desert and advocating for amnesty — act as if the issue is politicized. John McCain (Arizona Senator and Republican Presidential nominee) proposed legislation (with Democratic Senator Edward Kennedy, for whom 'all politics are local') that would provide a 'path to citizenship' and border security — only to withdraw it in the face of public criticism. In this case, the issue was the subject of intense 'normal' political debate, and the securitizing move was incomplete and heterogeneous across the political landscape. The model provided by the CS gives us no way tomeasure the success or failure of a securitizing move. In this article, I gauge the success or failure of a securitizing move by ranking the degree to which policies, legislation, and opinion accords with the prescriptions of the speech act: 1. To what degree is the issue-area discussed as part of a wider political debate? 2. Is the description of the threat as existential accepted or rejected? 3. Is the solution accepted or rejected? 4. Are new or emergency powers accorded to the securitizing agent? Unfortunately we are unable to provide accessible alternative text for this. If you require assistance to access this image, please contact help@nature.com or the author This scale of success–failure is particularly useful in assessing the persistence of a security issue within different audiences. A more nuanced notion of success and failure also gives us a purchase on whether an issue remains securitized over time so that we may develop a theory of the public imagination in the future. Two recent contributions to securitization theory stand out for my analysis.1 Balzacq and Stritzel share my excitement about the potential of the CS, and my worry about the under-developed social aspect of securitization. Stritzel leads the theoretical debate, and provides a strong grounding for this present article. He argues 'too much weight is put on the semantic side of the speech act articulation at the expense of its social and linguistic relatedness and sequentiality' (2007: 358). He critiques the under-theorization of the speaker–audience relations, stating that 'in empirical studies one cannot always figure out clearly which audience is when and why most relevant, what implications it has if there are several audiences, and when exactly an audience is "persuaded"' (2007: 363). Stritzel proposes an embedded analysis of securitization: '(1) the performative force of the articulated threat texts, (2) their embeddedness in existing discourses, and (3) the positional power of actors who influence the process of defining meaning' (2007: 370). By this, he argues, the discourse of securitization must be understood as situated within a relationship between speaker–audience and within a context that predates the actual securitizing act. What makes a securitizing move successful is, for Stritzel, the extent to which the actor has the power to make the threat and the discursive weight of that threat (has it been well established, or is this a new threat?). Stritzel's general model of embedded securitization is productive, but does not explain the success or failure of securitizing moves with any greater clarity than the CS. It is a useful framework that can guide empirical work, but it does not allow us to generate any hypotheses about the politics of securitization and, in particular, about securitizing moves that fail to garner acceptance or resonance. Adding the range of success/failure, as detailed above, helps Stritzel's embedded analysis disaggregate 'persuasion' into multiple steps of audience acceptance. Balzacq also offers a model of the social aspect of securitization that includes 'the context, the psycho-cultural disposition of the audience, and the power that both the speaker and the listener bring to the interaction' (2005: 172). In posing the question of strategic or pragmatic practice, Balzacq argues that 'the positive outcome of securitization, whether it be strong or weak, lies with the securitizing actor's choice of determining appropriate times within which the recognition, including the integration of "imprinting" object — a threat — by the masses is facilitated' (2005: 182). His examples demonstrate that these choices are constrained by history, memory, and discursive tropes. What a dramaturgical analysis adds is the notion that — just as there are different national and psycho-cultural contexts — so too are there different sociological, political, bureaucratic, and organizational contexts within a populace. A popular audience will 'accept' securitization of threats differently to an elite or scientific audience. Global warming as an environmental securitization, for example, has had creeping success — but on radically different grounds with scientists, bureaucrats, elite politicians, and the populace (both within states and between states). It is unclear to me if 'securitizing agents always strive to convince as broad an audience as possible' (2005: 185), particularly within the context of security professionals (Balzacq 2008). In the case study below, the securitization of Canadian civil aviation security was pitched to narrow, specific audiences — and there was little effort to securitize the issues for the general public. At a base level, popular politics (at least in democratic societies) operates differently than scientific politics; technocratic politics from elite politics. In short, in addition to the 'régime of truth, [a society's] "general politics" of truth' (Foucault 1980: 131), there are also specific politics of truth. Foucault hints at these specific regimes of truth in discussing the relationship between the specific intellectual and 'direct and localised relation[s] to scientific knowledge and institutions' (1980: 128). I return to these notions of direct and localized relations in the case study. This is why a dramaturgical approach to the actual evolution of particular securitizing moves is so productive; the language and political games at stake in each setting are radically different. Balzacq has gone on to argue that 'securitization sometimes occurs and produces social and political consequences without the explicit assent of an audience' (2008: 76). He uses the new governance literature to propose a new investigation into policy tools that are 'instruments of securitization' (2008: 79). Both Balzacq's work and this article are attempting to remedy the same flaw in the CS's methodology: an overreliance on speech acts to the neglect of the social. A dramaturgical analysis of setting, however, provides the audience that Balzacq displaces. It is crucial to our analysis that **the audience is determinative of the form of securitizing move**. Even if those audiences are internal or organizational, as Goffman explains: 'no audience, no performance' (1974: 125). He argues, "if one individual attempts to direct the activity of others by means of example, enlightenment, persuasion, exchange, manipulation, authority, threat, punishment, or coercion, it will be necessary, regardless his power position, to convey effectively what he wants done, what he is prepared to do to get it done and what he will do if it is not done. Power of any kind must be clothed in effective means of displaying it, and will have different effects depending upon how it is dramatized. (1959: 241, emphasis added)" Viewing securitizing moves as a kind of performance, we can see the importance of 'front' and 'backstage': that the same securitizing speech acts may be framed differently within the professional team and in front of an audience. Among themselves, (security) agents may speak in one way, but use other ways to conform to the expectations of a popular audience — and there are some that are always totally excluded from the securitizing process (1959: 145). The audience is not always the public. There is a network of bureaucrats, consultants, parliamentarians, or officials that must be convinced that securitization is appropriate, efficient, useful, or effective. Balzacq identifies a series of backstage securitizing moves that have public effects, though are never securitized publicly. Rather than disappear the audience, a more flexible notion of the setting of securitization allows for micro-sociologies of the particular securitizing moves. Top of page Dramaturgical Analysis Dramaturgical analysis uses the vocabulary of the theatre to understand social settings, roles, and performances of identity. Sociologist Goffman also introduced the notion of the 'framing' of identities and issues, to which much critical scholarship is indebted (1974).2 Much post-structuralist work relies on notions of performance, and critical work in international relations often assumes that key political divisions such as inside/outside, order/anarchy, self/other must be continually performed and reinforced to have effect. In this research programme, I am interested less in the national application of Butler's notion of the performativity of gendered and other identities (1990), Campbell's (1993) notion of foreign policy as an articulation of danger that acts as an identity function, Sylvester's analysis of 'dramaturgies of violence' (2003a) or 'development' (2003b), important and provocative though they may be. Instead, this dramaturgical theory argues that the setting of a securitizing move is determined by the actors and their roles, the rules of the discourse permissible within that space, and the expectations of the audience. When we push this theatrical metaphor, we can classify the different types of securitizing moves that all share similar conventions, narratives, characters, and tropes. The use of specialized language, procedural forms, and common conventions all suggest a common setting.3 For example, terms, precedents, or issues whose specialized meanings both speaker and audience share.4 Buzan et al. themselves use dramatic language: 'the staging of existential issues in politics to lift them above politics...an issue is dramatized and presented as an issue of supreme priority...' (1998: 26). Huysmans alludes to the 'security drama' and leads to this focus on 'the processes of security' (1995: 66). Rather than classify securitizing moves as comedies, tragedies, and histories, we can classify them according to the setting: popular, elite, technocratic, and scientific settings. Each of these settings structures the speaker–audience relationship of knowledge and authority, the weight of social context, and the success of the securitizing move. The setting of a securitizing act includes the stage on which it is made, the genre in which it is made, the audience to which it is pitched, and the reception of the audience. What is particularly useful about Goffman's dramaturgical analysis is precisely the mutual constitution of self and audience. The characters in the drama must use information to convince the audience of a particular story: 'the over-communication of some facts and the under-communication of others... a basic problem for many performances, then, is that of information control' (1959: 141). The setting of a performance, then, communicates the ground-rules for who may speak, what may be said, and what is heard. For example, when Shakespeare was originally staged, groundlings, who paid little admission and sat in the stalls below the stage, might speak to and throw food at the actors — something probably frowned upon at Stratford-upon-Avon today. British pantomime has a particularly interactive audience–actor relationship (oh no it doesn't, oh yes it does), as does the Rocky Horror Picture Show, both of which rely on the audience knowing the call-and-answer structure of the drama. This is to say that in addition to an awareness of the language, tropes, metaphor, plots, and devices that are embedded in the process of securitization, dramaturgical analysis also directs our attention to the constitution of the actor–audience in a particular discursive relationship. Also, Goffman argues that the presentation of the self changes from different social settings, and that an understanding of the setting can illuminate the exigencies of different performances. For him, the character and audience join together in a 'working consensus' to create 'the belief that ([he performer] is related to [the audience] in a more ideal way than is always the case' (1959: 48). Any social scene, such as the setting of securitizing moves, involves the presentation of a self, the setting for that narrative, and audience reception. Speech-act models of securitizing miss the crucial aspect of the 'setting' of the narrative. In particular, the setting of a political speech act includes the stage upon which the securitization is attempted (national, organizational, bureaucratic, or scientific) and also the past narrative history of failed and successful securitizations by lauded or derided characters (Merelman 1969: 225).5 Securitizing moves in popular, elite, technocratic, and scientific settings are markedly different — they operate according to different constitutions of actor and audience. A securitizing move is not the same in all contexts, because it is not simply made up of the internal grammatical elements. Krebs and Jackson analyse the importance of public rhetoric, while bracketing the questions of motivation (2007: 41). Whether the intention of the speaker is entirely calculative or emotive, the rules of the setting remain the same (Goffman 1959: 66). A securitizing move made for political gain or from fear adheres to the same logic, but the effect of the message may be different. This focus on the reflexive relationship between speaker and audience is particularly important for theories of securitization. Securitizing moves follow an internal grammar that is determined not simply by internal rules (i.e. the invocation of an emergency or exception to normal politics), but also to a common, social grammar (i.e. the universe of tropes, images, metaphors, histories that can be invoked). Securitizing moves occur within the universe of the audience imagination. It is not simply a power relationship — but a knowledge-authority game. A popular securitizing move may be prompted by an informal authority such as a civil society group (like the Minutemen along the US–Mexico border); but, civil society groups may be ineffective in scientific settings (Minutemen and similar groups do not participate in academic or professional arguments about border security). A scientist will use different authority to convince her colleagues than her bureaucratic counterparts. For example, the case for the presence of weapons of mass destruction in the lead-up to the most recent American invasion of Iraq illustrates how ambiguity was leeched from the technocratic discourse as it was marshalled in the popular sphere. Uncertainty was purged as the reports were summarized, as technocrats aimed to convince the political elite, and in turn as the elite aimed to convince the general populace. In short, the 'acceptance' of the audience and the 'resonance' of an existential threat is different within different spheres. I argue that we can distinguish these distinct settings by the grand narratives by which truth is authorized, the characters who are empowered to speak, and the relationships between characters and audience. Within the security sphere, different narratives are deployed for security threats in different sectors; different characters may attempt a securitizing speech act; and the relationship between the audience and the performer structure how those speech acts are made and received. This model of different settings for securitization stems from research into the widening of public security in post-9/11 politics. **There is a consensus among critical scholars** that the amount of social life that is governed by 'security' claims has increased since 9/11 — but **not all securitizing moves have been successful**. In studying the evolution of civil aviation security, it was clear that the rules of the speech act were different in different settings: who could speak, who could hear, and what could be said all varied radically — even on the same issue within the same sector. Using the case of the CATSA below, I argue that there are four key settings for these securitizing moves. This is not to say that, in other contexts, more settings are not possible, but rather that the four settings are the fewest number of categories that allow for significant differentiation within this case. The changing nature of perceptions of the aviation sector over the past 40 years demonstrates the importance of time and entropy within securitization studies. The gradual and increasing securitization of international aviation has been a long process, one in which terrorist groups rather than government elites have been the organizational and discursive entrepreneurs. The travelling public has a short memory, politicians aim at the next election cycle, and bureaucrats are risk averse. **Securitization has occurred at once** or necessarily **as a result of one speech act that is accepted** or rejected but often through the imposition of new regulations or international standards. The setting of securitization is clearly crucial. The success of a securitization act is dependent not exclusively on the formal syntax or on the informal social context, but also on the particular history, dominant narrative, constitutive characters, and the structure of the setting itself. A popular appeal to national security is often effective in popular and elite politics, but may be less convincing in a scientific realm. The restrictions of mandate and bureaucratic thinking will predominate in technocratic politics in (at least potentially) different ways to the decision making of elites bent on maintaining power or gaining reelection. The setting also determines the characters that may attempt a securitizing speech act. Imams and ministers have an authority to name cultural and moral threats to society within the setting of popular politics, but there is a different stage presence about scientific truths. For example, American librarians had a surprise entry onto the popular scene due to their perceived scientific interest in privacy and free speech, which trumped elite policy demands in the realm of popular politics during the debate surrounding the total information awareness proposal (Abdolian and Takooshian 2003; Monahan 2006). The disproportionate effect of librarians in this public debate cannot be explained simply by power differentials as in Stritzel or Balzacq. Different actors possess different authorizations to speak in different political settings. In the following case, the same securitizing move (to expand aviation security and airport passenger security) was made by different actors, to different audiences, with different claims to authority, in different languages, with different effects. This was evident over time as the securitizing move was accepted or rejected by the target audience. Top of page Securitization and CATSA CATSA provides an excellent case for dramaturgical analysis.6 There is a clear and accepted securitizing move in response to the attacks of 9/11: the creation of CATSA. Because the 9/11 attacks were directly connected to failures in airport security, specifically passenger screening, the securitization of civil aviation was relatively straightforward: the external threat of terrorists using planes as weapons of mass destruction had a deep resonance across the populace, political elite, technocrat, and scientific audiences.7 In particular, the real-time broadcast of the second plane hitting the World Trade center, and the repetition of those images, gave aviation security a dominant position in the public imagination of homeland security. Previous to 9/11, in Canada (and the United States) aviation passenger screening was done by airlines according to national standards set by the transportation authority. Airport security was not a realm of emergency or crisis, and could be handled by non-state entities (like airlines or airport authorities). It was depoliticized, expressed in terms of cost and regulations and technical standards. To nationalize airport security — make it part of the governmental structure, through CATSA — represented an expansion of governmental powers that was due to a perceived emergency and existential threat.8 The securitizing move was successful, even easy. However, this does not tell us enough about the process of securitization. During 2004–2007, there were several other securitizing and desecuritizing moves. There are clear popular, elite, technocratic, and scientific communities that engaged in these (de)securitization processes. Popular sentiment can be evaluated through public media, particularly in 2006. Furthermore, in 2004, CATSA engaged the scientific community in an examination of its security strategy, the proceedings of which were then published in 2006. Elite, technocratic, and scientific settings are evidenced through a 5-year governmental review of the CATSA Act in 2005–2007 and an Auditor-General Special Examination of CATSA in 2006. In these reviews, experts, bureaucrats, and policy-makers evaluated the security function of CATSA. In particular, the CATSA Act Review, conducted by Transport Canada with a wide range of public consultations, provides a thick slice of public, scientific, technocratic, and elite opinion after 5 years of operation. During these two critical reviews, the CATSA executive attempted to convince the elite of the need for an expansion of their mandate. In other words, a further securitization of airport security was called for. This was rejected by the technocrats, experts, and the elite. The CATSA case thus provides us with a clear sector that is successfully securitized, popular and expert challenges to that securitization, and a rejection of an expansive securitizing move. There is thus a prima facie case for a successful securitization move in the area of aviation security in Canada. Before 9/11, passenger screening was done by airports and airlines according to standards set by Transport Canada. Despite Vancouver-based attacks on Air India in 1985, there had been a general trend towards the depoliticization of airport security. It was a subject accessible to public debate, but not politically salient (referenced in political campaigns or in parliamentary debates). Transport Canada was the owner/operator of the majority of airports, and consequently was responsible for passenger screening. Airport policing, which had been the responsibility of the federal police force (RCMP), was conducted by regional forces. Following the 9/11 attacks, Finance Minister Paul Martin submitted a budget that included the creation of the CATSA. The CATSA Act received royal assent on 27 March, 2002, as a new crown corporation responsible for 'effective, efficient and consistent screening of persons accessing aircraft or restricted areas through screening points, the screening of the property in their possession or control, and the screening of the belongings or baggage they give to the air carrier for transport' (CATSA Act Review 2006: 13).9 On 31 December 2002, CATSA undertook responsibility for all passenger screening. The creation of CATSA and its initial responsibilities was supported by the Minister of Transport and Finance Minister Paul Martin, who shortly thereafter became the Prime Minister and issued Canada's first National Security Strategy. There was a clear case for securitization: the threat of terrorism particularly to civil aviation was acute, the previous system of privatized or deregulated screening might lead to inconsistencies among Canadian airports which fundamentally threatened the integrity of the system, and, finally, running counter to the trend towards deregulation in civil aviation, the government had a security role. This opinion was exemplified in the National Security Strategy (Canada. Office of the Auditor General 2006: 36). In the following sections, this article parses the four settings of securitizing moves in the civil aviation security sector during 2004–2007. The traditional CS explanation would go this way: the Canadian state made a securitizing move to define the terror threat to civil aviation as an existential threat that required extraordinary action; this move was accepted by the public, and CATSA was formed in 2001–2002 with new powers and authorities (in evidence through the changes to the Aeronautics Act). The Canadian state has not attempted any significant securitizing moves since the formation of CATSA. However, a close reading of the evolution of CATSA, and, in particular, the reviews in 2005–2006, demonstrates a much more complex picture of securitizing moves and counter-moves. Within the elite setting, political and bureaucratic actors actively debated the roles and responsibilities of CATSA and attempted to increase or decrease the powers and authorities of the organization. Within the popular scene, CATSA became the subject of a number of journalistic and public government reports by a Senate committee that questioned the nature of the threat to aviation security and the appropriate policy responses. Within the scientific setting, academics and experts attempted to desecuritize the work of CATSA through a critical appraisal of the risk management approach. Within a technocratic setting, the ability of CATSA to provide and measure security was radically questioned by the Auditor-General, leading to a desecuritizing move. Running throughout all of these settings, there is a common thread: the CATSA executive wanted to increase its mandate, including more counter-terror operations in its operational purview. This particular securitizing move followed the same pattern: existential threat and new powers needed. However, this same securitizing move was made in different ways in different settings. Elite The CATSA Act Review provides a productive snapshot of the securitizing moves in play between 2005 and 2006. The Minister of Transport, later Transport, Infrastructure and Communities, appointed an expert advisory panel in November 2005 to report on CATSA after 5 years of operation, which was tabled in Parliament on 12 December 2006.10 The Advisory Panel had a wide remit to 'examine the provisions and operations of the CATSA Act to ensure that the legislation provides a sound and adequate statutory basis for CATSA's aviation security mandate, provide advice on future aviation security requirements and other developments that may impact on CATSA's future operations...on other important issues that come to [the Panel's] attention' (CATSA Act Review 2006: 15). In the preparation of their report, the panel conducted a number of public consultations and received submissions from over 40 agencies, institutions, airports, organizations, and individuals. CATSA itself also prepared a number of position papers. This is a complex situation for the study of securitization: the three experts on the advisory panel are the primary authors of the report; they are guided and supported by a bureaucracy from Transport Canada; the final audience is the Minister of Transport. Because the audience of this legislative review was the Minister of Transport, Communities and Infrastructure (and other political decision-makers), I analyze this process as part of the elite process. The Auditor-General's Special Examination, though it occurred in a similar timeframe and with consequences for CATSA's Board, was conducted with reference to the Office of the Auditor-General which has a defined mandate. Thus, I examine the Special Examination below as part of the technocratic audience. It was clear that the mandate of CATSA was in contention. There was a potential within the social space for a securitizing move. The Panel notes: 'it is apparent to the Panel and to many stakeholders that clarification is needed concerning the operation mandate of CATSA and Transport Canada... CATSA thinks it should determine the "hows" [of security functions], while Transport Canada insists they are to be determined within the [Security Screening Order]' (CATSA Act Review 2006: 146). CATSA argued in their submissions that Transport Canada's Security Screening Order was extremely detailed in its prescription, and made security screening inflexible. CATSA made a clear securitizing move: a threat, which was existential, that required extraordinary action — in this case the expansion of its mandate and the transformation of an aviation screening corporation into a counter-terrorism agency (CATSA 2006a: 4). In particular, it was argued before the Advisory Panel that the CATSA Act, Canadian Aviation Security Regulations, and the security screening order, gave CATSA an extremely clear, but restricted mandate in its passenger screening. CATSA screeners were responsible for and authorized to detect and to interdict prohibited items only, or to validate the identity of some non-passengers entering into secure air-side operations. In other words, CATSA could not use any profiling, risk-management, or policing methods in their security screening. CATSA argued that its ability to use these tools — such as behavioural profiling or risk management — would make the civil aviation security system much more secure. CATSA sought increased access to intelligence, a greater flexibility in screening-point staffing, and screening procedures. These moves were rejected by the expert panel and the Minister in the CATSA Act Review.11 In 'Our vision for aviation security', submitted to the Review, CATSA makes its case for an expanded mandate. CATSA can provide 'a national approach and consistency', 'public security', 'accountability', 'access to intelligence', and 'international networks' (CATSA 2006b: 5–6). The desire for national consistency among Canadian airports was one of the chief reasons for the creation of CATSA. The form of the organization balances accountability across a Board of Directors, the Minister for Transport, Infrastructure and Communities, and the Treasury Board (which approve, among other aspects, CATSA's budget and corporate plans). However, these other three priorities (public security, access to intelligence, and international networks) represent an expansion of its mandate. Airports, in their submissions to the CATSA Act Review, argue that screening can be handled efficiently and effectively by their own private security staff — essentially a desecuritizing move (Aéroports de Montréal 2006; Canadian Airports Council 2006). They argue that security screening is not an existential threat and does not require additional powers or authorities. Aéroports de Montreal concludes: 'ADM strongly opposes any expansion of CATSA's mandate to encompass, for example, access control or policing functions, since this could be a further infringement of airports' control over their operations. Furthermore, the Minister should not be able to grant CATSA new responsibilities without consulting the airports' (2006: 3). The Canadian Airports Council writes: 'With the exception possibly of cargo security, airports are not in favour of an expanded mandate for CATSA, and airports should be consulted thoroughly before any expansion to CATSA's mandate takes place. Some airports have expressed an interest in taking over or sharing some of CATSA's functions at airports' (2006: 1). Against the argument that airports might be able to provide security screening, CATSA argues 'public security is the #1 priority — CATSA's legislated mandate is air transport security — period. We are not in the business of operating parking, leasing space to businesses, airport cleaning and maintenance, or other areas of interest to airport authorities. Public security is compromised when screening operations are "cross-collateralized" with other airport operations' (5). Within this complex discursive environment, securitization/desecuritization is not simply a binary (on/off) condition but more processual. An examination of the submissions to the Advisory Panel illustrates who 'counts' as a stakeholder for the process, who counts as expert, whose voice is heard. While CATSA, the Advisory Panel, and the Review Secretariat clearly had primary speaking roles (with stakeholders in supporting roles) in this particular securitization drama, the important audience was the Minister. This is a failed securitizing move: CATSA attempted to expand their mandate, to widen their security footprint, to convince the political elite that, due to the terror threat, more powers should accrue to the security service. CATSA publications emphasize the threat of terror, memorialize past attacks, and have instituted a training programme on terror for senior staff (David 2006). The attempt by CATSA to expand their mandate and securitize other areas of airport security was rejected by both the expert panel and the political elite. Both elite and experts were convinced of the threat, but none were convinced that special or expanded powers were needed. The Minister argued specifically that 'Responsibility for aviation security will continue to rest with the Minister of Transport, Infrastructure and Communities... CATSA's activities will be focused on its core aviation security-screening role: the effective and efficient screening of persons who access aircraft or restricted areas through screening points, the property in their possession or control, and the belongings or baggage that they give to an air carrier for transport' (Cannon 2007). Experts and elites argued that the public–private system, structured by rules from Transport Canada, could secure the system. In other words, the existential threat was accepted by the audiences, but not an expansion of powers. Consequently, the securitizing move was not accepted by the key audiences, the Advisory Panel and the Minister. Popular Within popular politics, the securitization of airport screening was easy to accomplish, particularly in countries that had 'focusing events' such as 9/11 (Birkland 1997, 2004). As Lyon observes, 'apart from short-term responses to some notorious hijackings over the past 30 years, airport security was never a topic that engaged the public imagination in Canada (or elsewhere for that matter)' (2006: 398). In 1985, the attack on Air India flight originated in Canada. Investigations determined that it was a result of weak baggage screening and the lack of reconciliation between passengers and luggage. However, passenger screening was not seen as such an important issue — the majority of hijacking or terror attacks occurred in the United States, particularly with reference to Cuba, or in Europe and the Middle East.12 In January 2003, the Standing Senate Committee on National Security and Defence tabled a report in Parliament titled The Myth of Security at Canada's Airports that called for a reinstatement of the RCMP presence and a wide-ranging overhaul of the system. Despite frequent interviews in the popular press by its author, this report did not resonate with the public, the policy, or the political audiences: it represents another failed securitizing move.13 However, the success of the securitization of aviation security can be seen in the popular reaction to two cases of investigative journalism. First, a journalist from the French-language paper Journal de Montréal infiltrated the secure, air-side areas at Trudeau airport in Montreal on a number of occasions through different access points. The journalist entered a catering company's facilities (Cara Foods) and gained access to restricted areas through a disused hanger. The reporter 'found a place to slip under the airport's perimeter fence, but there's no need to get your knees dirty: he also just walked in, repeatedly, as if he belonged. In prohibited zones he gained easy access to the outside of aircraft, to carts full of meals about to be loaded onto planes, and to a truck used to provide water to aircraft' (Gazette 2006). Though none of the checkpoints he passed were staffed by CATSA employees, or indeed the actual regulatory responsibility of CATSA, it was CATSA that was held publicly responsible. While CATSA has responsibility for key elements of aviation security, such as passenger and non-passenger screening at identified checkpoints, it is not responsible for overall perimeter security or security of air-side services. An editorial opined: 'Transport Minister Lawrence Cannon and CATSA chief Maurice Baril have got some explaining to do. Security can't be perfect, but it should surely be better than this'. Minister Cannon summoned Maurice Baril (who was CATSA's Chairman of the Board of Directors, who subsequently resigned) and CATSA President and CEO Jacques Duchesneau to Ottawa 'for further discussions' (Cannon 2006). In Canada, the responsibility for airport security, and the maintenance of air-side security, is shared among a number of different players in the airport and coordinated by Transport Canada through the Aviation Security Regulations. Thus, CATSA is responsible only for its six stated tasks, mandated in the CATSA Act. However, the popular response was that CATSA should be responsible for all of airport security — that all aspects of airport security were the responsibility of the government, because of the existential threat, because of the need for emergency powers. The (inappropriate) critique of CATSA — for, in essence, having a restricted mandate — is a clear demonstration that the public expected that CATSA would be responsible for all airport security (perhaps because of its much larger American counterpart the Transportation Security Administration or a 'misleading' corporate identity). For securitization theory, this implies that the audience, in this case the popular audience, may not simply accept securitization but also initiate an expansion of government powers. The second popular case that demonstrates how the wider public may not simply support, but widen securitization, is the 'revelation' by a Canadian television news programme that CATSA itself had security problems. CBC's investigative journalism programme, The Fifth Estate, broadcast 'Fasten Your Seatbelt' on 5 November 2005 (CBC 2005). A whistle-blower argued that 'customer service' was prioritized over security in passenger screening, and then a security expert, Steve Elson, demonstrated how to circumvent screening points (CBC 2006). The 'security expert' was described as being a former TSA inspector who currently consults on security matters (validating his expertise in both government and liberal economic terms). Once again, a complex web of regulations and responsibilities was simplified (and misconstrued). The whistle-blower was a CATSA employee, and the programme highlighted the role of CATSA in passenger screening and the random nature of non-passenger screening. Within the programme, there was little discussion of the role of the actual regulator and ministry responsible for aviation security: Transport Canada. However, in an unaired portion of the interview with Senator Colin Kenny, one of the authors of The Myth of Security at Canada's Airports said, 'The problem is with Transport Canada. They set the regulations, CATSA simply follows them' (CBC n.d.). CATSA has specifically mentioned their attention to public pressure (Auditor-General 2006), and continuously measures passenger satisfaction rates. Within the popular realm, journalists and government representatives had the roles as experts to 'speak authoritatively'. In these cases, CATSA representatives — who were experts on the legislated mandate of CATSA — were unable to convince the populace through press releases, interviews, etc. that CATSA was not responsible for the security breeches. The socio-political context of Canada also determined 'what might be said'. In particular, the extremely complex interplay of authorities and responsibilities at the airport was radically simplified: CATSA was represented as being solely responsible for aviation security. Any failures of airport security, by themselves or their subcontractors, were laid at the feet of CATSA — as demonstrated by the Minister of Transport calling the President of CATSA back to Ottawa immediately after the Montreal incidents. The success of the securitization of aviation security within this realm is clear in the public criticism of CATSA for not using enough emergency measures to contain this existential threat. The travelling public, which is frequently surveyed by CATSA about its customer service, plays a large role in CATSA's internal discussions, but a smaller role in its discussions with external agencies. These conclusions demonstrate why more nuance is needed in current models of securitization. More is going on than a simple politics of blame or bureaucratic infighting, although plainly some of those dynamics are in play. Rather, CATSA was being responsibilized for all of aviation security in Canada, despite its limited mandate. The popular pressure, I argue, is a representation of the 'facilitating conditions' in the popular imagination: the public was open to securitizing moves by the government. There is also the restriction of 'what might be said': in short, an over-simplification of complex regulatory systems and a misrepresentation of the level of attainable security. No system is completely secure — a fact that is often and easily acknowledged among experts in aviation security. But, this was not portrayed in the popular scene. Investigative journalists, in this case, had the position to speak authoritatively in a way that a Senator and other security experts did not. The public could only express their satisfaction with CATSA's screening as a customer service to CATSA, or in the popular media as a policing and counter-terrorism agency. The failure of the expansion of the security mandate of CATSA in the elite realm and the simultaneous popular critique of CATSA's mandate indicate that the setting matters. Scientific In addition to a set of technical debates, CATSA is also engaged with the scientific community on how to effectively and efficiently screen passengers. I want to focus on the primary adoption of the risk management model, since this has been examined in the Auditor-General's Special Examination and CATSA Act Review process. CATSA was responsible for the purchase and implementation of a wide-scale technological upgrade to explosive detection systems, to meet Canadian and international standards. It has also won awards for its technological innovation for the RAIC programme that uses biometric identification.14 There is also a robust debate in expert circles regarding the use of private firms for security screening, whether airport security can be left to the private sector or should be provided by the government (Frederickson and Laporte 2002; Hainmüller and Lemnitzer 2003; Seidenstat 2004).15 CATSA is mandated to secure key elements of the civil aviation infrastructure through passenger screening. CATSA, however, provides screening according to the 'Security Screening Order', under the Aeronautics Act and the Canadian Aviation Security Regulations. As a crown corporation, CATSA is also bound by government policy to implement a 'risk management strategy', the key elements of which are the evaluation of potential impact and frequency of exposures to different risks. It then formulates a strategy that accepts, avoids, transfers, or mitigates that risk. Within this framework, 'It is government policy to identify, and reduce or eliminate risks to its property, interests and employees, to minimize and contain the costs and consequences in the event of harmful or damaging incidents arising from those risks, and to provide for adequate and timely compensation, restoration and recovery' (Canada. Treasury Board of Canada 2001). CATSA actively engaged the academic and expert communities in formulating its risk management strategy (Brodeur 2006),16 and its proposed Security Management Systems approach (Salter 2007). The CATSA executive asked for training in risk management and, in 2005, the International Centre for Comparative Criminology organized two seminars (in Paris and in Montréal) on risk management. The academic experts at these workshops represented the fields of surveillance studies, criminology, sociology, public health, environmental studies, and risk management itself. The core issues for the experts were the following: 'uncertainty theoretically supersedes risk and rule-based and risk-based models are not mutually exclusive in the promotion of security. Not only can they be reconciled in practice, but they must' (Brodeur 2006: 324). This poses two problems for CATSA, which later became evident in the CATSA Act Review and the Auditor-General's Special Examination: uncertainty within the public security fields makes measurement impossible; following security regulations alone would be insufficient to demonstrate risk management. Among the social scientists represented at the Montréal seminar, there was a consensus that the tactic of risk management, used often in environmental planning and other scientific realms, cannot be easily transferred to the social realm (Zedner 2006: 424). Ericson, an internationally renowned criminologist who pioneered the critical study of risk management, argued, 'risk management systems can restrict freedom, invade privacy, discriminate, and exclude populations. Such self-defeating costs and the uncertainties they entail can be minimized only by infusing risk management systems with value questions about human rights, well-being, prosperity, and solidarity' (2006: 346). These experts questioned not only the empirical reliability of risk management (Manning 2006: 457), but also the ideological function of screening by risk (O'Malley 2006: 420). These experts agreed that the move to a risk-based model of airport screening would require more specific intelligence and the widening of CATSA's mandate. But, they also stressed that because of the radical incalculability of the threat of terror, risk-based security screening had to be combined with rules-based screening. Since risk management could not prevent terror, and may cause potential problems, the problem of airport security had to be made explicitly political. Within these seminars, the setting was academic: experts were selected because of their scholarly credentials and the discourse was in an academic mode.17 At root, the experts attempted a desecuritizing move: since uncertainty trumps risk, the lack of metrics makes measurement (and thus management of risk) impossible. Thus, the security screening process must be political. Since a risk-based approach cannot guarantee security, and the risk- and rule-based systems were in some conflict, CATSA (and by implication Transport Canada, the regulator) must deal with these uncertainties and risks, sensitive to the politics of the situation. Screening procedures could not be an emergency, existential threat that required extraordinary powers or policies. Because security was unobtainable, the process had to remain steadfastly political. Though there was a consensus among the scientific field, this desecuritizing move failed — none of the other audiences were convinced, as demonstrated below in the review of the technocratic setting. Technocratic While the CATSA Act Review had the political elite as its audience, the Auditor-General's Special Examination had only the Office of the Auditor-General as its audience. It was also presented to the CATSA Board of Directors, with clear implications for the Minister — but the authors of the report were a team of auditors not politicians. A Special Examination of CATSA was undertaken by the Auditor-General of Canada during November 2005–June 2006 (a similar time period to the CATSA Act Review process). The Auditor-General appraised the extent to which CATSA was fulfilling and measuring its mandate, as well as other financial and management standards.18 It is beyond the mandate of the Auditor-General's Special Examination to analyse the mandate of the organization (Canada. Office of the Auditor General 2006: 9). CATSA tried to use the Special Examination as another venue to expand its mandate, which, as I argue above, is a securitizing move — accruing more governmental power to manage an existential threat. Just as CATSA attempted this with respect to the elite audience of the CATSA Act Review, they also attempted this in the technocratic setting. As the report concludes: 'CATSA does not wish to be constrained by its limited mandate. CATSA would like to have more control over the way screening operations are conducted, the allocation of screening staff, and the selection of screening equipment; and it would like direct access to intelligence information' (3). The case for the expansion of CATSA's mandate is made in terms of security, emergency, and extraordinary powers: it satisfies the internal criteria for a securitizing move. Here is the key moment: 'CATSA's view is that counterterrorism is a key aspect of its work. This is evident in CATSA documents. Transport Canada has stated that CATSA's current mandated responsibilities do not specifically include counter-terrorism' (14). The CATSA Act Review Advisory Panel also notes this troubled relationship: 'there appears to be a high level of frustration and mistrust between Transport Canada and CATSA at the national level' (CATSA Act Review 2006: 137). The Auditor-General's report is relatively neutral in this bureaucratic in-fighting but that neutrality stands as a rejection of the securitizing move. In short, the securitizing move fails because it does not accept 'security' as a legitimate justification for reevaluating the mandate of CATSA: 'This Special Examination did not question CATSA's mandate; rather it assessed CATSA's systems and practices within its mandate and the regulations that govern the aviation security system' (9). Despite the best efforts of CATSA to make the mandate part of the audit, in order to use the report as a tool in their securitizing move, the Auditor-General did not accept the move. Within the Auditor-General's review, who may speak and what may be said is radically different. CATSA officials prepared reports for the Auditor-General's team who also consulted with an expert team.19 The terms of reference for the report, however, were specific to the crown corporation model and its relevant legislation regarding financial administration. Essentially, security was not the object of study: however, risk management was under scrutiny. Thus, while similar messages were made by CATSA and Transport Canada, they were expressed in different, more managerial language. The audience for this report was primarily the Board of Directors, and indirectly the responsible Minister, Treasury Board Secretariat, and the Parliament of Canada to which the Auditor-General reports. However, the review results were also marshalled in the CATSA Act Review process, in order to bolster the case for a refusal of the securitizing move to increase CATSA's mandate. Thus, the same securitizing/desecuritizing moves are played out, but in a totally different register within different sectors. Settings for Canadian Aviation Security This dramaturgical analysis of CATSA during the crucial 2005–2006 period has demonstrated the need for an analytical disaggregation of the actor–audience model in securitization theory. Within different settings (popular, elite, scientific, and technocratic), different actors were empowered to speak, and different audiences constituted — the rules of those discursive relationships were also impacted by setting. Stakeholders from the CATSA Act Review had no voice in the experts' academic workshop; reports on the measurement of security for the Advisory Panel were not used in the Auditor-General's Special Examination. These different settings also defined the content of securitizing moves: though there was a common desire to expand CATSA's security mandate, it was done with different arguments in the expert workshop, the Special Examination, and the CATSA Act Review. Finally, the CATSA case demonstrates the need to parse the success/failure of securitizing moves in a more nuanced way. **CATSA's securitizing** move **was premised on the acceptance of an existential threat** (which is commonly believed), the description of a crisis or emergency (accepted by some and rejected by others), and the accrual of new executive power (which was completely rejected). Top of page Conclusion The CS model of securitization is provocative and productive of many political and research agendas. Making the model more sensitive to who may speak, who can hear, and what can be said within particular settings allows us to evaluate the politics of successful moves to securitize or desecuritize an issue. This kind of analysis necessarily involves an examination of a particular setting over time, a factor often downplayed in CS analysis. Sector studies in public safety, security studies, migration, trafficking, minority rights, and disease can all benefit from a clearer consideration of audience–speaker co-constitution of authority and knowledge, the weight of social context, and the degree of success of particular moves. **Desecuritization is** seen **a priori** as more politically preferable than securitization (Wæver 1999: 335). **Deliberative politics are by definition more democratic than exceptional politics**. This has led to the important debate led by Aradau (2001, 2004, 2006), Alker (2006), Taureck (2006), Behnke (2006), Huysmans (2006), and Floyd (2007) on the ethical relationship of emancipation and politicization to securitization. This follows from a productive discussion on the role of security experts (Eriksson 1999; Goldmann 1999; Wæver 1999; Williams 1999). While this article does not engage this debate extensively, we would argue that, tactically, **analysts and experts must understand the political dynamics of successful securitization and desecuritization processes if they wish to intervene.** In this, I once again take the lead from Foucault who says that his own analysis has sprung from his personal experiences and a kind of a malaise with objective, abstract, Archimedian theory. In building from his insider knowledge of and outsider status within institutions (such as the clinic, human sexuality, or the penal system), Foucault conducts a 'history of the present' — to ask not 'what does the prison mean' but 'how does the prison mean?' With particular experience in different realms of security studies, it seems that securitization theory might contribute to this kind of history of the present. This is to say that **the process of successful** securitization and **desecuritization operates differently** within different settings. If, as security experts, **it is part of our role to intervene in the securitization**/desecuritization **process,** then we must gain a tactical knowledge of the conditions for success and failure. There is an assumption in this debate about securitization/desecuritization that experts are significant or important voices. It is true that **'in writing or speaking security, the analyst** him/herself **executes a speech act, this speech act is successful if the problem raised becomes recognized as a security problem in the academy** **and/or in the wider policy making discourse'** (Floyd 2007: 336).

**6**

**Debt Ceiling will pass now—business lobby**

**Pollways, 9/19**, (“Business groups tell House Republicans: No anti-Obamacare hostage-taking”, 9/19/2013, <http://pollways.bangordailynews.com/2013/09/19/national/business-groups-tell-house-republicans-no-anti-obamacare-hostage-taking/?ref=blogswidget>)

**Business Republicans do not want a government shutdown.** They do not want the full faith and credit of the United States to be undermined by a refusal to raise the debt limit. Threatening to shut down the government and to not increase the debt limit are the strategies chosen by Tea Party groups to try to stop funding of the Affordable Care Act. (By the way, a shutdown wouldn’t cut off the ACA’s revenue stream. Much like Social Security, nearly all of this funding commitment is now automatically set.) Now **the U.S. Chamber of Commerce has joined the Wall St. Journal editorial page in opposing a shutdown and debt default.** It’s fascinating to see how the Chamber of Commerce starts by telling its usual allies that they, you know, support capitalism. The Chamber’s open letter to House Republicans begins: The U.S. Chamber of Commerce, the world’s largest business federation representing the interests of more than three million businesses and organizations of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting and defending America’s free enterprise system, urges the House of Representatives to pass H.J. Res. 59, the “Continuing Appropriations Resolution, 2014,” to ensure the uninterrupted funding of the federal government into the next fiscal year at spending levels consistent with P.L. 112-25, the Budget Control Act of 2011. Making clear a shutdown and default would cause real economic harm, the letter states: **It is not in the best interest of the U.S. business community or the American people to risk even a brief government shutdown that might trigger disruptive consequences or raise new policy uncertainties washing over the U.S. economy. Likewise, the U.S. Chamber respectfully urges the House of Representatives to raise the debt ceiling in a timely manner and thus eliminate any question of threat to the full faith and credit of the United States government.** Also weighing in on this hostage-taking is the Business Roundtable, which describes itself as “an association of chief executive officers of leading U.S. companies with $7.4 trillion in annual revenues and more than 16 million employees.” According to a new study by the Business Roundtable: Fifty percent of responding CEOs indicated that the ongoing disagreement in Washington over the 2014 budget and the debt ceiling is having a negative impact on their plans for hiring additional employees over the next six months. **Typically allied with Republicans and consistently giving most of their campaign donations to Republicans, business groups are saying, please, please don’t do this.** Will House Republicans listen? And, if not, will these business groups decide they have to reconsider which politicians they support? Look for Republican party leaders, to the extent they exist anymore, to try to resolve this situation and heal this schism.

**Plan destroys Obama’s credibility – makes it impossible for him to get anything through Congress**

**Seeking Alpha 9-10**, 9-10-2013, “Syria Could Upend Debt Ceiling Fight,” http://seekingalpha.com/article/1684082-syria-could-upend-debt-ceiling-fight

Unless President Obama can totally change a reluctant public's perception of another Middle-Eastern conflict, it seems unlikely that he can get 218 votes in the House, though he can probably still squeak out 60 votes in the Senate. **This defeat would be totally unprecedented as a President has never lost a military authorization vote in American history. To forbid the Commander-in-Chief** of his **primary power renders him** **all but impotent**. At this point, a rebuff from the House is a 67%-75% probability. I reach this probability by looking within the whip count. I assume the 164 declared "no" votes will stay in the "no" column. To get to 218, Obama needs to win over 193 of the 244 undecided, a gargantuan task. Within the "no" column, there are 137 Republicans. Under a best case scenario, Boehner could corral 50 "yes" votes, which would require Obama to pick up 168 of the 200 Democrats, 84%. Many of these Democrats rode to power because of their opposition to Iraq, which makes it difficult for them to support military conflict. The only way to generate near unanimity among the undecided Democrats is if they choose to support the President (recognizing the political ramifications of a defeat) despite personal misgivings. The idea that all undecided Democrats can be convinced of this argument is relatively slim, especially as there are few votes to lose. In the best case scenario, the House could reach 223-225 votes, barely enough to get it through. Under the worst case, there are only 150 votes. Given the lopsided nature of the breakdown, the chance of House passage is about one in four. **While a failure in the House would put action against Syria in limbo, I have felt that the market has overstated the impact of a strike there**, which would be limited in nature. Rather, **investors should focus on the profound ripple through the power structure in Washington, which would greatly impact impending battles over** spending and **the debt ceiling**. Currently, **the government** loses spending authority on September 30 while it **hits the debt ceiling by the middle of October. Markets have generally felt that Washington will once again strike a last-minute deal and avert total catastrophe**. Failure in the Syrian vote could change this**. For the Republicans to beat Obama on a President's strength (foreign military action), they will likely be emboldened that they can beat him on domestic spending issues.**  **Until now, consensus has been that the two sides would compromise** to fund the government at sequester levels while **passing a $1 trillion stand**

**Political capital is finite and key --- the plan trades off**

**Moore, 9/10** --- Guardian's US finance and economics editor (Heidi, 9/10/2013, “Syria: the great distraction; Obama is focused on a conflict abroad, but the fight he should be gearing up for is with Congress on America's economic security,” <http://www.theguardian.com/commentisfree/2013/sep/10/obama-syria-what-about-sequester)>)

Before President Obama speaks to the nation about Syria tonight, take a look at what this fall will look like inside America. There are 49 million people in the country who suffered inadequate access to food in 2012, leaving the percentage of "food-insecure" Americans at about one-sixth of the US population. At the same time, Congress refused to pass food-stamp legislation this summer, pushing it off again and threatening draconian cuts. **The country will crash into the debt ceiling in mid-October, which would be an economic disaster, especially with a government shutdown looming at the same time. These are deadlines that Congress already learned two years ago not to toy with, but memories appear to be preciously short.** The Federal Reserve needs a new chief in three months, someone who will help the country confront its raging unemployment crisis that has left 12 million people without jobs. The president has promised to choose a warm body within the next three weeks, despite the fact that his top pick, Larry Summers, would likely spark an ugly confirmation battle – the "fight of the century," according to some – with a Congress already unwilling to do the President's bidding. Congress was supposed to pass a farm bill this summer, but declined to do so even though the task is already two years late. As a result, the country has no farm bill, leaving agricultural subsidies up in the air, farmers uncertain about what their financial picture looks like, and a potential food crisis on the horizon. The two main housing agencies, Fannie Mae and Freddie Mac, have been in limbo for four years and are desperately in need of reform that should start this fall, but there is scant attention to the problem. These are the problems going unattended by the Obama administration while his aides and cabinet members have been wasting the nation's time making the rounds on television and Capitol Hill stumping for a profoundly unpopular war. The fact that all this chest-beating was for naught, and an easy solution seems on the horizon, belies the single-minded intensity that the Obama White House brought to its insistence on bombing Syria. More than one wag has suggested, with the utmost reason, that if Obama had brought this kind of passion to domestic initiatives, the country would be in better condition right now. As it is, public policy is embarrassingly in shambles at home while the administration throws all of its resources and political capital behind a widely hated plan to get involved in a civil war overseas. The upshot for the president may be that it's easier to wage war with a foreign power than go head-to-head with the US Congress, even as America suffers from neglect. This is the paradox that President Obama is facing this fall, as he appears to turn his back on a number of crucial and urgent domestic initiatives in order to spend all of his meager political capital on striking Syria. Syria does present a significant humanitarian crisis, which has been true for the past two years that the Obama administration has completely ignored the atrocities of Bashar al-Assad. Two years is also roughly the same amount of time that key domestic initiatives have also gone ignored as Obama and Congress engage in petty battles for dominance and leave the country to run itself on a starvation diet imposed by sequestration cuts. Leon Panetta tells the story of how he tried to lobby against sequestration only to be told: Leon, you don't understand. The Congress is resigned to failure. Similarly, those on Wall Street, the Federal Reserve, those working at government agencies, and voters themselves have become all too practiced at ignoring the determined incompetence of those in Washington. **Political capital – the ability to horse-trade and win political favors from a receptive audience – is a finite resource in Washington. Pursuing misguided policies takes up time, but it also eats up credibility in asking for the next favor.** It's fair to say that **congressional Republicans**, particularly in the House, **have no love for Obama and are likely to oppose anything he supports. That's exactly the reason the White House should stop proposing policies as if it is scattering buckshot and focus with intensity on the domestic tasks it wants to accomplish, one at a time.** The president is scheduled to speak six times this week, mostly about Syria. That includes evening news interviews, an address to the nation, and numerous other speeches. Behind the scenes, he is calling members of Congress to get them to fall into line. Secretary of State John Kerry is omnipresent, so ubiquitous on TV that it may be easier just to get him his own talk show called Syria Today. It would be a treat to see White House aides lobbying as aggressively – and on as many talk shows – for a better food stamp bill, an end to the debt-ceiling drama, or a solution to the senseless sequestration cuts, as it is on what is clearly a useless boondoggle in Syria. **There's no reason to believe that Congress can have an all-consuming debate about Syria and then, somehow refreshed, return to a domestic agenda** that has been as chaotic and urgent as any in recent memory. The President should have judged his options better. As it is, he should now judge his actions better.

**This will destroy the U.S. and global economy**

**Davidson, 9/10** (Adam - co-founder of NPR’s “Planet Money” 9/10/2013, “Our Debt to Society,” <http://www.nytimes.com/2013/09/15/magazine/our-debt-to-society.html?pagewanted=all&_r=0)>)

This is the definition of a deficit, and it illustrates why the government needs to borrow money almost every day to pay its bills. Of course, all that daily borrowing adds up, and we are rapidly approaching what is called the X-Date — the day, somewhere in the next six weeks, when the government, by law, cannot borrow another penny. **Congress** has imposed a strict limit on how much debt the federal government can accumulate, but **for nearly 90 years**, it **has raised the ceiling well before it was reached**. But **since a large number of Tea Party**-aligned **Republicans entered the House** of Representatives, in 2011, **raising that debt ceiling has become a matter of fierce debate**. This summer, House **Republicans have promised**, in Speaker John Boehner’s words, **“a whale of a fight” before they raise the debt ceiling — if they even raise it at all. If the debt ceiling isn’t lifted** again this fall, **some serious financial decisions will have to be made**. Perhaps the government can skimp on its foreign aid or furlough all of NASA, but eventually the big-ticket items, like Social Security and Medicare, will have to be cut. At some point, **the government won’t be able to pay interest on its bonds and will enter what’s known as sovereign default, the ultimate national financial disaster** achieved by countries like Zimbabwe, Ecuador and Argentina (and now Greece). In the case of the United States, though, **it won’t be an isolated national crisis**. If the American government can’t stand behind the dollar, the world’s benchmark currency, **then the global financial system will very likely enter a new era in which there is much less trade and much less economic growth. It would be**, by most accounts, **the largest self-imposed financial disaster in history**. Nearly everyone involved predicts that someone will blink before this disaster occurs. Yet a small number of House Republicans (one political analyst told me it’s no more than 20) appear willing to see what happens if the debt ceiling isn’t raised — at least for a bit. This could be used as leverage to force Democrats to drastically cut government spending and eliminate President Obama’s signature health-care-reform plan. In fact, Representative Tom Price, a Georgia Republican, told me that the whole problem could be avoided if the president agreed to drastically cut spending and lower taxes. Still, it is hard to put this act of game theory into historic context. Plenty of countries — and some cities, like Detroit — have defaulted on their financial obligations, but only because their governments ran out of money to pay their bills. **No wealthy country has ever voluntarily decided — in the middle of an economic recovery, no less — to default**. And there’s certainly no record of that happening to the country that controls the global reserve currency. Like many, I assumed a self-imposed U.S. debt crisis might unfold like most involuntary ones. **If the debt ceiling isn’t raised by X-Day, I figured, the world’s investors would begin to see America as an unstable investment and rush to sell their Treasury bonds. The U.S. government, desperate to hold on to investment, would then raise interest rates far higher**, hurtling up rates on credit cards, student loans, mortgages and corporate borrowing — **which would effectively put a clamp on all trade and spending. The U.S. economy would collapse far worse than anything we’ve seen in the past several years**. Instead, Robert **Auwaerter, head of bond investing for Vanguard, the world’s largest mutual-fund company, told me that the collapse might be more insidious**. “You know what happens when the market gets upset?” he said. “There’s a flight to quality. Investors buy Treasury bonds. It’s a bit perverse.” In other words, **if the U.S. comes within shouting distance of a default (which Auwaerter is confident won’t happen), the world’s investors — absent a safer alternative, given the recent fates of the euro and the yen — might actually buy even more Treasury bonds. Indeed, interest rates would fall and the bond markets would soar. While this possibility might not sound so bad, it’s really far more damaging than the apocalyptic one I imagined.** Rather than resulting in a sudden crisis, failure to raise the debt ceiling would lead to a slow bleed. Scott Mather, head of the global portfolio at Pimco, the world’s largest private bond fund, explained that while governments and institutions might go on a U.S.-bond buying frenzy in the wake of a debt-ceiling panic, they would eventually recognize that the U.S. government was not going through an odd, temporary bit of insanity. They would eventually conclude that it had become permanently less reliable. **Mather imagines institutional investors and governments turning to a basket of currencies, putting their savings in a mix of U.S., European, Canadian, Australian and Japanese bonds. Over the course of decades, the U.S. would lose its unique role in the global economy. The U.S. benefits enormously from its status as global reserve currency and safe haven**. Our interest and mortgage rates are lower; companies are able to borrow money to finance their new products more cheaply. As a result, there is much more economic activity and more wealth in America than there would be otherwise. If **that status erodes, the U.S. economy’s peaks will be lower and recessions deeper**; future generations will have fewer job opportunities and suffer more when the economy falters. And, Mather points out, **no other country would benefit from America’s diminished status**. When you make the base risk-free asset more risky, the entire global economy becomes riskier and costlier.

**Nuclear war.**

Cesare **Merlini 11**, nonresident senior fellow at the Center on the United States and Europe and chairman of the Board of Trustees of the Italian Institute for International Affairs (IAI) in Rome. He served as IAI president from 1979 to 2001. Until 2009, he also occupied the position of executive vice chairman of the Council for the United States and Italy, which he co-founded in 1983. His areas of expertise include transatlantic relations, European integration and nuclear non-proliferation, with particular focus on nuclear science and technology. A Post-Secular World? Survival, 53:2, 117 – 130

Two neatly opposed scenarios for the future of the world order illustrate the range of possibilities, albeit at the risk of oversimplification. The first scenario entails **the premature crumbling of the post-Westphalian system**. One or more of the acute tensions apparent today **evolves into** an open and traditional conflict between **states**, perhaps even **involving** **the use of nuclear weapons**. **The crisis might be triggered by a collapse of the global economic** and financial **system**, the vulnerability of which we have just experienced, and the prospect of **a second Great Depression, with consequences for peace and democracy similar to those of the first.** Whatever the trigger, the unlimited exercise of national sovereignty, exclusive self-interest and rejection of outside interference would self-interest and rejection of outside interference would likely be amplified, emptying, perhaps entirely, the half-full glass of multilateralism, including the UN and the European Union. Many of the more likely conflicts, such as between Israel and Iran or India and Pakistan, have potential religious dimensions. Short of war, tensions such as those related to immigration might become unbearable. Familiar issues of creed and identity could be exacerbated. One way or another, the secular rational approach would be sidestepped by a return to theocratic absolutes, competing or converging with secular absolutes such as unbridled nationalism.

**Terror 1NC**

**Cooperation’s inevitable**

**Mueller 12** (John, Prof @ Ohio State, Terrorism and Security, in “Controversies in Globalization,” page 149-150, CMR)

Overall, with 9/11 and subsequent activity, **bin Laden and his gang** seem mainly to **have succeeded in uniting the world**, including its huge Muslim portion, **against** their violent global **jihad**. **No matter how much they might disagree on other issues** (most notably America’s war on Iraq), **there is a compelling incentive for states** – including Arab and Muslim ones – **to cooperate to deal with** any international **terrorist** problem emanating from groups and individuals **connected to**, or sympathetic with, **al-Qaeda**. **Although these** multilateral **efforts**, particularly **by** such **Muslim States** as Sudan, Syria, Libya, Pakistan, and even Iran, **may not have received** sufficient **publicity, these countries have had a vital interest, because they felt directly threatened by the militant network**, and **their** diligent and aggressive **efforts have led to important breakthroughs against al-Qaeda**. ¶ **This** post-9/11 **willingness** of governments around the world to take on terrorists **has been reinforced and amplified as they reacted to subsequent,** if sporadic, **terrorist activity** with**in** **their own countries**. Thus a terrorist bombing in Balin in 2002 galvanized the Indonesia government into action and into extensive arrests and convictions. **When terrorists attacked** Saudis in **Saudi** Arabia in 2002, **that country** **seems**, very much for self-interested reasons, **to have become** considerably **more serious about** dealing with internal **terrorism**, including a clampdown on radical clerics and preachers. Some inept terrorist **bombings in** **Casablanca** in 2003 **inspired** a similar determined **crackdown by Moroccan authorities.** **The** main **result** **of** al-Qaeda-linked **suicide terrorism in Jordan** in 2003 **was to outrage** Jordanians and other **Arabs** against the perpetrators. Massive protests were held, and in polls, those expressing a lot of confidence in Osama Bin Laden to “do the right thing” plunged from 25 percent to less than 1 percent. In polls conducted in 35 predominately Muslim coutnries, more than 90 percent condemned bin Laden’s terrorism on religious grounds. [149-150]

**AQAP isn’t a threat—their impacts are hype**

**Gerges 12**—Prof of IR @ London School of Economics (“The Rise and Fall of Al-Qaeda: Debunking the Terrorism Narrative”, 1/3/2012, <http://www.huffingtonpost.com/fawaz-gerges/the-rise-and-fall-of-alqa_b_1182003.html>, CMR)

**The popular uprisings** **in Tunisia, Egypt, Libya, Syria, Yemen and Bahrain have** not only shaken the foundation of the authoritarian order in the Middle East, but they have also **hammered a deadly nail in the coffin of a terrorism narrative** which has painted Al-Qaeda as the West's greatest threat. At least, they should have. Yet **despite** Osama **bin Laden's killing** in May, the dwindling of his group to the palest shadow of its former self and the protest of millions across the Arab world for whom the group never represented, **Al-Qaeda holds a grasp on the Western imagination**. **Few** Americans and **Westerners realize the degree to which their fear of terrorism is misplaced**, making closure over to the costly War on Terror difficult, if not impossible. **Shrouded in myth and inflated by a self-sustaining industry of** so-called **terrorism "experts" and a well-funded national security industrial complex** whose numbers swelled to nearly one million, **the power of Al-Qaeda can only be eradicated when the fantasies around the group are laid to rest.** Myth 1: Al-Qaeda has been operational for more than two decades Contrary to the conventional terrorism narrative, Al-Qaeda has not been a functional organization with the goal of targeting the West for the past 20 years. By the time the American forces expelled bin Laden and his associates from their base in Afghanistan at the end of 2001, Al-Qaeda, as we know it today, was only five years old. At the end of the Afghan war in 1989, none of the leading figures -- Sheikh Abdullah Azzam, Ayman al-Zawahiri, nor bin Laden -- called for targeting the United States or the West. Even after the catalyst for change in bin Laden's thinking -- the American military intervention in the Gulf in 1990 and its permanent stationing of troops in Saudi Arabia -- the group did not translate this hostility into concrete action. Rather, it was during bin Laden's time in Sudan in the mid-1990s where he combined business practices with ideological indoctrination. Myth 2: Al-Qaeda has lots of boots on the ground **At its height of its power** in the late 1990s, **Al-Qaeda had** between **1,000** and 3,000 **members**. **Transnational jihadism** of the Al-Qaeda variety **has**, in fact, **never had a large constituency, nor a solid base of popular support**: Al-Qaeda has never been a viable social movement, but truly a fringe group without mass appeal among Muslim opinion. Contrary to received wisdom, **September 11 did not turn out to be Al-Qaeda's baptism by fire**, a force multiplier, a game changer. There was no river of young recruits to rise up and join the fight against the head of kufr (impiety) -- the U.S. -- as had happened with the Soviet invasion of Afghanistan in the late 1970s. Western intelligence officials believe that **there are fewer than 200 surviving members of Al-Qaeda**, **based mainly in Pakistan and Afghanistan** and mostly unskilled composed of cooks, drivers, bodyguards and food soldiers. Myth Three: Al Qaeda has the same philosophy as other militant Islamist organizations While distinctions are rarely made between domestic jihadis and transnational Al-Qaeda types, or between Al-Qaeda and politically based Islamists, such as the Muslim Brotherhood, Hamas or Hizbullah, Al-Qaeda, with deep historical roots in Muslim societies, is an ideological orphan within the military Islamist family, an ambitious venture founded and led by a small vanguard. Grouping all these organizations together glosses over a history of ideological struggles within militant Islamist groups and even among Al Qaeda's inner sanctum of leaders over the concept of transnational jihad. From its origins in the late 1950s until the mid-1990s, a period of almost forty years, the militant Islamist movement known as "jihadism" was inward-looking, obsessed with replacing "renegade" secular Muslim rulers with Qur'anic-based states or states governed by the sharia (Islamic law). In the 1990s bin Laden and Zawahiri twisted these ideologies to suit their purposes of fighting the 'far enemy' -- the U.S. and its close Western allies -- which they believed would attract enough followers to build an army and momentum enough for their nearer battles. Myth Four: While Al-Qaeda Central has suffered a defeat with the loss of bin Laden, local 'branches' of Al-Qaeda in Yemen, Iraq, Pakistan, Somalia and Indonesia will continue to try to attack the U.S. and the West **The material links** and connections **between local branches and Al-Qaeda Central are tenuous at best**: **far from being an institutionally coherent social movement,** **Al-Qaeda is a loose collection of small groups and factions that tend to be guided by charismatic individuals and are more local than transnational in outlook**. Most victims are therefore Muslim civilians. Further, these branches tend to be as much a liability for the long term strategic interests of Al-Qaeda Central as they are assets. Abu Musab Zarqawi, the emir of Al-Qaeda in Iraq, proved to be Al-Qaeda Central's worst enemy. He refused to take orders from bin Laden or Zawahiri and, in fact, acted against their wishes, according to his own desires. Like Zarqawi, **local** groups or **franchises -- like** Al-Qaeda in the Arabian Peninsula (**AQAP**) or Al-Qaeda of the Islamic Maghreb -- **which the terrorism narrative often paints as being closely aligned and commanded by Al-Qaeda Central** in fact **have** **proven repeatedly that they run by their own local** and contextualized **agendas**, **not** those set among the inner sanctum of **Al-Qaeda Central.** Myth Five: The War on Terror has made Americans safer and has decreased the likelihood of attacks on the country There is a clear causal link between incidences of homegrown terrorism in the West and the post-9/11 wars fought in Afghanistan and Iraq, and more recently in Pakistan and Yemen. Far from weeding out individual terrorists drone by drone to put an end to Al-Qaeda and its violence, the American offensive since 9/11 has fed into the Al-Qaeda narrative which paints the West as a Judeo-Christian crusader and, ironically, inspired a new generation of homegrown radicals. Despite their apparent tactical success, U.S. counterterrorism measures like drone attacks further fuel anti-American sentiments and calls for vengeance. Yet neither the U.S. national security apparatus nor terrorism experts acknowledge a link between the new phenomenon of bottom-up extremism and the U.S. War on Terror, particularly in Afghanistan-Pakistan. Further, **despite the phenomenal expansion of the intelligence machine as part of the War on Terror, this machine has failed to detect the few serious attacks and plots against the U.S. homeland,** such as the Fort Hood, Texas, shooting that left thirteen dead, the so-called underwear bomber plot, or the 2009 Christmas Day bomb attempt, which was thwarted not by one of the almost one million individuals with top-secret clearances employed to find lone terrorists but by an alert airline passenger who saw smoke coming from a seatmate. In the Times Square bombing, an alert vendor called the police after he saw smoke coming out of a parked SUV. Even when the U.S. pays more than $5 billion for 1 million employees with security clearances to hunt members of Al-Qaeda, **absolutely security cannot exist**. The security of the West is organically linked to that of the rest of the world. And **U.S. leaders must think twice before pursuing** counterterrorism **measures which alienate Muslim public opinion and breed homegrown terrorists**. \*\*\* **The war with Al-Qaeda is over**. Western leaders must level with their citizens: **Al-Qaeda poses only a security irritant**, not a serious threat. Terrorism cannot be eradicated with drone attacks or even massive military interventions, all of which are, in any case, costly. Rather than battling against a mythic foe, **the U.S.** and Western powers **should** expedite the **withdrawal** of soldiers **from Muslim territories** **where their presence is a painful reminder of the European colonial legacy of domination and subjugation.**

**No WMD terrorism – lack of desire and capability – empirically the threat is overblown**

**Mueller 11**. John Mueller, Professor and Woody Hayes Chair of National Security Studies, Mershon Center for International Security Studies and Department of Political Science, “The Truth About al Qaeda”, 8/2/2011, <http://www.foreignaffairs.com/articles/68012/john-mueller/the-truth-about-al-qaeda?page=show>, CMR

The chief lesson of 9/11 should have been that small bands of terrorists, using simple methods, can exploit loopholes in existing security systems. But instead, **many** preferred to **engage in mass**ive **extrapolation**: **If 19 men could hijack four airplanes** simultaneously, the thinking went, then **surely al Qaeda would soon make an atomic bomb.** As a misguided Turkish proverb holds, "If your enemy be an ant, imagine him to be an elephant." The new information unearthed in Osama bin Laden's hideout in Abbottabad, Pakistan, suggests that the United States has been doing so for a full decade. **Whatever al Qaeda's threatening rhetoric and occasional nuclear fantasies, its potential as a menace**, particularly as an atomic one, **has been much inflated**. **The public has** now **endured a decade of dire warnings about** the imminence of a **terrorist atomic attack**. In 2004, the former CIA spook Michael Scheuer proclaimed on television's 60 Minutes that it was "probably a near thing," and in 2007, the physicist Richard Garwin assessed the likelihood of a nuclear explosion in an American or a European city by terrorism or other means in the next ten years to be 87 percent. By 2008, Defense Secretary Robert Gates mused that what keeps every senior government leader awake at night is "the thought of a terrorist ending up with a weapon of mass destruction, especially nuclear." **Few**, it seems, **found** much **solace in** the fact **that** **an al Qaeda computer** seized in Afghanistan in 2001 **indicated** that **the group's budget for research on w**eapons of **m**ass **d**estruction (almost all of it focused on primitive chemical weapons work) **was** some **$2,000** to $4,000. In the wake of the killing of Osama bin Laden, officials now have more al Qaeda computers, which reportedly contain a wealth of information about the workings of the organization in the intervening decade. A multi-agency task force has completed its assessment, and according to first reports, it has found that **al Qaeda members have** **primarily been engaged in dodging drone strikes and complaining about how cash-strapped they are**. Some **reports suggest** **they've** also **been looking at quite a bit of porn**ography. The full story is not out yet, but **it seems breathtakingly unlikely that the miserable little group has** had **the time or inclination, let alone the money, to set up and staff a uranium-seizing operation, as well as a** fancy, super-high-tech **facility to fabricate a bomb**. **It** is a process that **requires trusting corrupted foreign collaborators** and other criminals, **obtaining and transporting** highly guarded **material**, **setting up a** machine **shop staffed with top scientists** and technicians, **and rolling the** heavy, cumbersome, and untested finished **product into position to be detonated by a skilled crew**, all the **while attracting no attention from outsiders.** The documents also reveal that after fleeing Afghanistan, bin Laden maintained what one member of the task force calls an "obsession" with attacking the United States again, even though 9/11 was in many ways a disaster for the group. It led to a worldwide loss of support, a major attack on it and on its Taliban hosts, and a decade of furious and dedicated harassment. And indeed, bin Laden did repeatedly and publicly threaten an attack on the United States. He assured Americans in 2002 that "the youth of Islam are preparing things that will fill your hearts with fear"; and in 2006, he declared that his group had been able "to breach your security measures" and that "operations are under preparation, and you will see them on your own ground once they are finished." Al Qaeda's animated spokesman, Adam Gadahn, proclaimed in 2004 that "the streets of America shall run red with blood" and that "the next wave of attacks may come at any moment." The **obsessive desire notwithstanding**, such **fulminations have clearly lacked substance**. Although hundreds of millions of people enter the United States legally every year, and countless others illegally, **no true al Qaeda cell has been found in the country since 9/11** and exceedingly few people have been uncovered who even have any sort of "link" to the organization. The closest effort at an al Qaeda operation within the country was a decidedly nonnuclear one by an Afghan-American, Najibullah Zazi, in 2009. Outraged at the U.S.-led war on his home country, Zazi attempted to join the Taliban but was persuaded by al Qaeda operatives in Pakistan to set off some bombs in the United States instead. Under surveillance from the start, he was soon arrested, and, however "radicalized," he has been talking to investigators ever since, turning traitor to his former colleagues. Whatever training Zazi received was inadequate; he repeatedly and desperately sought further instruction from his overseas instructors by phone. At one point, he purchased bomb material with a stolen credit card, guaranteeing that the purchase would attract attention and that security video recordings would be scrutinized. Apparently, his handlers were so strapped that they could not even advance him a bit of cash to purchase some hydrogen peroxide for making a bomb. For al Qaeda, then, the operation was a failure in every way -- except for the ego boost it got by inspiring the usual dire litany about the group's supposedly existential challenge to the United States, to the civilized world, to the modern state system. Indeed, **no** Muslim **extremist has succeeded in detonating** even **a simple bomb in the U**nited **S**tates **in the last ten years**, and except for the attacks on the London Underground in 2005, neither has any in the United Kingdom. **It seems wildly unlikely that al Qaeda is remotely ready to go nuclear**. Outside of war zones, the amount of killing carried out by **al Qaeda** and al Qaeda linkees, maybes, and wannabes throughout the entire world since 9/11 stands at perhaps a few hundred per year. That's a few hundred too many, of course, but it **scarcely presents an existential**, or elephantine, **threat**. And **the likelihood that a**n **American will be killed by a terrorist** of any ilk **stands at one in 3.5 million per year**, even with 9/11 included. **That probability will remain unchanged** unless terrorists are able to increase their capabilities massively -- and obtaining nuclear weapons would allow them to do so. Although al Qaeda may have dreamed from time to time about getting such weapons, no other terrorist group has even gone so far as to indulge in such dreams, with the exception of the Japanese cult **Aum Shinrikyo**, which leased the mineral rights to an Australian sheep ranch that sat on uranium deposits, purchased some semi-relevant equipment, and tried to buy a finished bomb from the Russians. That experience, however, **cannot be very encouraging to** the would-be atomic **terrorist**. Even though it was flush with funds and undistracted by drone attacks (or even by much surveillance), **Aum Shinrikyo abandoned its atomic efforts in frustration very early on. It then moved to bio**logical **weapons**, another complete failure that inspired its leader to suggest that fears expressed in the United States of a biological attack were actually a ruse to tempt terrorist groups to pursue the weapons. **The group did** finally **manage to release some sarin gas** in a Tokyo subway **that killed 13 and led to the group's terminal shutdown, as well as to 16 years** (and counting) **of pronouncements that WMD terrorism is the wave of the future. No elephants there, either**.

**\*\*\*Zero risk of nuclear terrorism – they are wrong about everything**

-desire

-no theft

-no transport

-can’t build it

-too expensive

-1/3 billion chance

-can’t buy it

-no loose nukes

**Mueller, ’10** – **professor of political science at Ohio State University** and author of Atomic Obsession: Nuclear Alarmism from Hiroshima to Al-Qaeda, more qualed than your tool-authors [John, “Calming Our Nuclear Jitters”, Winter, http://www.issues.org/26.2/mueller.html, CMR]

A daunting task Politicians of all stripes preach to an anxious, appreciative, and very numerous choir when they, like President Obama, proclaim atomic terrorism to be “the most immediate and extreme threat to global security.” It is the problem that, according to Defense Secretary Robert Gates, currently keeps every senior leader awake at night. This is hardly a new anxiety. In 1946, atomic bomb maker J. Robert Oppenheimer ominously warned that if three or four men could smuggle in units for an atomic bomb, they could blow up New York. This was an early expression of a pattern of dramatic risk inflation that has persisted throughout the nuclear age. In fact, although expanding fires and fallout might increase the effective destructive radius, the blast of a Hiroshima-size device would “blow up” about 1% of the city’s area—a tragedy, of course, but not the same as one 100 times greater. In the early 1970s, nuclear physicist Theodore Taylor proclaimed the atomic terrorist problem to be “immediate,” explaining at length “how comparatively easy it would be to steal nuclear material and step by step make it into a bomb.” At the time he thought it was already too late to “prevent the making of a few bombs, here and there, now and then,” or “in another ten or fifteen years, it will be too late.” Three decades after Taylor, we continue to wait for terrorists to carry out their “easy” task. **In contrast to** these **predictions, terrorist groups seem to have exhibited only** limited desire **and even** less progress **in going atomic**. This may be because, **after brief exploration of the possible routes, they**, unlike generations of alarmists, **have discovered** that **the tremendous effort required is scarcely likely to be successful.** The most plausible route for terrorists, according to most experts, would be **to manufacture an atomic device** themselves from purloined fissile material (plutonium or, more likely, highly enriched uranium). This task, however, **remains** a **daunting** one, **requiring** that **a considerable series of difficult hurdles be conquered** and **in sequence**. **Outright** armed **theft** of fissile material **is exceedingly unlikely** not only **because** **of** the resistance of **guards**, but because **chase would be immediate**. A more promising approach would be **to corrupt insiders** to smuggle out the required substances. However, this **requires the terrorists** to **pay off a host of greedy confederates**, including brokers and money-transmitters, **any one of whom could turn on them** **or**, either out of guile or incompetence, **furnish them with stuff that is useless**. **Insiders might** also **consider** the possibility that once the heist was accomplished, the **terrorists** would, as analyst Brian Jenkins none too delicately puts it, “**have every incentive to** cover their trail, beginning with **eliminat**ing **their confederates**.” If **terrorists** were somehow successful at obtaining a sufficient mass of relevant material, they **would then** probably **have to transport it a long distance over unfamiliar terrain** and probably **while being pursued** by security forces. Crossing international borders would be facilitated by following established **smuggling routes**, but these are not as chaotic as they appear and **are often under** the **watch** of suspicious and careful criminal regulators. If **border personnel** became suspicious of the commodity being smuggled, some of them **might find it in their interest to disrupt passage,** perhaps to **collect the bounteous reward money** that would probably be offered by alarmed governments once the uranium theft had been discovered. Once outside the country with their precious booty, **terrorists would need** to set up **a large and well-equipped machine shop** to manufacture a bomb and then to populate it with a very select team of highly skilled scientists, technicians, machinists, and administrators. **The group would have to be assembled and retained for the monumental task** **while no consequential suspicions were generated** among friends, family, and police about their curious and sudden absence from normal pursuits back home. Members of **the bomb-building team would** also **have to be utterly devoted** to the cause, of course, and they would have to be willing to put their lives and certainly their careers at high risk, because after their bomb was discovered or exploded they would probably become the targets of an intense worldwide dragnet operation. Some observers have insisted that it would be easy for terrorists to assemble a crude bomb if they could get enough fissile material. But Christoph Wirz and Emmanuel Egger, two senior physicists in charge of nuclear issues at Switzerland‘s Spiez Laboratory, bluntly conclude that **the task “could hardly be accomplished by a subnational group.”** They point out that **precise blueprints are required**, not just sketches and general ideas, and that **even with a good blueprint the terrorist group would** most certainly **be forced to redesign**. They also stress that **the work is difficult, dangerous, and extremely exacting,** and that **the technical requirements** in several fields **verge on the unfeasible**. Stephen Younger, former director of nuclear weapons research at Los Alamos Laboratories, has made a similar argument, pointing out that **uranium is “exceptionally difficult to machine” whereas “plutonium is one of the most complex metals ever discovered, a material whose basic properties are sensitive to exactly how it is processed.“** Stressing the “daunting problems associated with material purity, machining, and a host of other issues,” Younger concludes, “**to think that a terrorist group**, working in isolation with an unreliable supply of electricity and little access to tools and supplies” **could fabricate a bomb “is** farfetched at best.”Under the best circumstances, the process of **making a bomb could take** months or even **a year or more**, which would, of course, have to be carried out **in utter secrecy.** In addition, people in the area, including criminals, may observe with increasing curiosity and puzzlement the constant coming and going of technicians unlikely to be locals. If the effort to build a bomb was successful, **the finished product**, weighing a ton or more, **would** then **have to be transported** to **and smuggled into the relevant target country where it would have to be received by collaborators who are** at once **totally dedicated and technically proficient** at handling, maintaining, detonating, and perhaps assembling the weapon after it arrives. **The financial costs** of this extensive and extended operation **could** easily **be**come **monumental**. There would be expensive equipment to buy, smuggle, and set up and people to pay or pay off. Some operatives might work for free out of utter dedication to the cause, but **the vast conspiracy** also **requires the subversion of a considerable array of criminals and opportunists**, each of whom has every incentive to push the price for cooperation as high as possible. Any criminals competent and capable enough to be effective allies are also likely to be both smart enough to see boundless opportunities for extortion and psychologically equipped by their profession to be willing to exploit them. Those who warn about the likelihood of a terrorist bomb contend that a terrorist group could, if with great difficulty, overcome each obstacle and that doing so in each case is “not impossible.” But although it may not be impossible to surmount each individual step, **the likelihood** that a group could surmount a series of them quickly **becomes vanishingly small**. Table 1 attempts to catalogue the barriers that must be overcome under the scenario considered most likely to be successful. In contemplating the task before them, would-be atomic **terrorists** would effectively be required to go though an exercise that looks much like this. If and when they do, they **will** **undoubtedly conclude** that **their prospects are daunting and** accordingly uninspiring or even **terminally dispiriting**. It is possible to calculate the chances for success. Adopting probability estimates that purposely and heavily bias the case in the terrorists’ favor—for example, **assuming** the **terrorists have a 50% chance of overcoming each of the 20 obstacles**—**the chances** that a concerted effort would be successful **comes out to be less than one in a million.** **If one assumes**, somewhat **more realistically**, that their **chances** at each barrier **are one in three,** **the cumulative odds** that they **will be** able to pull off the deed drop to one in well over three billion. Other routes would-be **terrorists** might take to acquire a bomb are even more problematic. They **are** **unlikely to be given or sold a bomb** by a generous like-minded nuclear state for delivery abroad **because the risk would be high**, even for a country led by extremists, **that the bomb** (and its source) **would be discovered** even before delivery or that it would be exploded in a manner and on a target the donor would not approve, including on the donor itself. **Another concern would be** that **the terrorist group might be infiltrated by foreign intelligence.** The terrorist group might also seek to steal or illicitly purchase a “loose nuke“ somewhere. However, it seems probable that none exist. All governments have an intense interest in controlling any weapons on their territory because of fears that they might become the primary target. Moreover, as technology has developed, **finished bombs have been out-fitted with devices that trigger a non-nuclear explosion that destroys the bomb if it is tampered with**. **And there are other security techniques**: **Bombs can be kept disassembled with the component parts stored in separate high-security vaults, and a process can be set up in which two people and multiple codes are required** not only to use the bomb but to store, maintain, and deploy it. As Younger points out, “only a few people in the world have the knowledge to cause an unauthorized detonation of a nuclear weapon.” There could be dangers in the chaos that would emerge if a nuclear state were to utterly collapse; Pakistan is frequently cited in this context and sometimes North Korea as well. However, even under such conditions, **nuclear weapons would** probably **remain under heavy guard** by people who know that a purloined bomb might be used in their own territory. They would still have locks and, in the case of Pakistan, the weapons would be disassembled.

#### FIRST, No risk of Accidents for US or Russia

Dr. Leonid **Ryabikhin et all** (Executive Secretary, Committee of Scientist for Global Security and Arms Control; Senior Fellow, EastWest Institute), General (Ret.) Viktor Koltunov (Deputy Director, Institute for Strategic Stability of Rosatom), and Dr. Eugene Miasnikov (Senior Research Scientist, Center for Arms Control, Energy and Environmental Studies) “De-alerting: Decreasing the Operational Readiness of Strategic Nuclear Forces” Discussion paper presented at the seminar on “Re-framing De-Alert: Decreasing the Operational Readiness of Nuclear Weapons Systems in the U.S.-Russia Context” in Yverdon, Switzerland, 21-23 June 200**9**. http://www.ewi.info/system/files/RyabikhinKoltunovMiasnikov.pdf

Most of the experts define de-alerting as implementing some reversible physical changes in a weapon system that would significantly increase time between the decision to use the weapon and the actual moment of its launch. The proponents of this concept consider it as one of the ways to maintain strategic stability. They provide the following arguments in support of this concept. Radical changes have occurred in US-Russian relations. Russia and the United States are building strategic partnership relationship. In such situation the high alert readiness of strategic offensive forces targeted at each other does not correspond to the character of our relations. Strategic nuclear forces high alert readiness in combination with a concept of launch-on-warning strike increases the risk of “accidental” nuclear war (as a result of mistakes in the C3I system, inadequate situation analysis, mistaken decision-making, unauthorized action of personnel or even terrorists, provocation from the “third” states or non-state actors, etc.); False signals about missile attacks obtained from early warning system that may trigger an accidental launch. This assumption was very popular when the Russian early warning system was weakened as a result of collapse of the Soviet Union. Analysis of the above arguments shows, that they do not have solid grounds. Today Russian and U.S. ICBMs are not targeted at any state. High alert status of the Russian and U.S. strategic nuclear forces has not been an obstacle for building a strategic partnership. The issue of the possibility of an “accidental” nuclear war itself is hypothetical. Both states have developed and implemented constructive organizational and technical measures that practically exclude launches resulting from unauthorized action of personnel or terrorists. Nuclear weapons are maintained under very strict system of control that excludes any accidental or unauthorized use and guarantees that these weapons can only be used provided that there is an appropriate authorization by the national leadership. Besides that it should be mentioned that even the Soviet Union and the United States had taken important bilateral steps toward decreasing the risk of accidental nuclear conflict. Direct emergency telephone “red line” has been established between the White House and the Kremlin in 1963. In 1971 the USSR and USA signed the Agreement on Measures to Reduce the Nuclear War Threat. This Agreement established the actions of each side in case of even a hypothetical accidental missile launch and it contains the requirements for the owner of the launched missile to deactivate and eliminate the missile. Both the Soviet Union and the United States have developed proper measures to observe the agreed requirements.

**Norms 1NC**

**US action irrelevant to international norms on drones – other tech proves**

**Etzioni 13** – professor of IR @ George Washington (Amitai, “The Great Drone Debate”, March/April, <http://usacac.army.mil/CAC2/MilitaryReview/Archives/English/MilitaryReview_20130430_art004.pdf>, CMR)

Other **critics contend** that **by the U**nited **S**tates ¶ **using drones, it leads other countries into making and** ¶ **using them.** For example, Medea Benjamin, the cofounder of the anti-war activist group CODEPINK ¶ and author of a book about drones argues that, “The ¶ proliferation of drones should evoke reﬂection on the ¶ precedent that the United States is setting by killing ¶ anyone it wants, anywhere it wants, on the basis of ¶ secret information. Other nations and non-state entities are watching—and are bound to start acting in ¶ a similar fashion.”60 Indeed scores of countries are ¶ now manufacturing or purchasing drones. There can ¶ be little doubt that the fact that drones have served ¶ the United States well has helped to popularize them. ¶ However, **it does not follow that U**nited **S**tates ¶ **should not have employed drones in the hope that** ¶ **such a show of restraint would deter others**. First ¶ of all, this would have meant that either the United ¶ States would have had to allow terrorists in hardto-reach places, say North Waziristan, to either ¶ roam and rest freely—or it would have had to use ¶ bombs that would have caused much greater collateral damage. ¶ Further, **the record shows** that **even when the** ¶ **U**nited **S**tates **did not develop a particular weapon,** ¶ **others did.** Thus, **China has taken the lead in** the ¶ development of **anti-ship missiles and** seemingly ¶ **cyber weapons** as well. One must keep in mind ¶ that **the international environment is** a **hostile** ¶ one. **Countries**—and especially non-state actors—¶ most of the time **do not play by** some set of **selfconstraining rules**. Rather, **they** tend **to employ** ¶ **whatever weapons they can obtain that will further** ¶ **their interests.** The United States correctly does ¶ not assume that it can rely on some non-existent ¶ implicit gentleman’s agreements that call for the ¶ avoidance of new military technology by nation X ¶ or terrorist group Y—if the United States refrains ¶ from employing that technology¶ I am not arguing that there are no natural norms ¶ that restrain behavior. There are certainly some ¶ that exist, particularly in situations where all parties beneﬁt from the norms (e.g., the granting of ¶ diplomatic immunity) or where particularly horrifying weapons are involved (e.g., weapons of ¶ mass destruction). However **drones are but one** ¶ **step**—following bombers and missiles—**in the** ¶ **development of distant battleﬁeld tech**nologies. ¶ (Robotic soldiers—or future ﬁghting machines—¶ are next in line). **In such circumstances, the role** ¶ **of norms is much more limited**.

**No drones arms race – multiple checks**

- narrow application – diplomatic and political costs – state defenses

**Singh 12** – researcher at the Center for a New American Security (Joseph, “Betting Against a Drone Arms Race”, 8/13, <http://nation.time.com/2012/08/13/betting-against-a-drone-arms-race/#ixzz2TxEkUI37>, CMR)

Bold predictions of a coming drones arms race are all the rage since the uptake in their deployment under the Obama Administration. Noel Sharkey, for example, argues in an August 3 op-ed for the Guardian that rapidly developing drone technology — coupled with minimal military risk — portends an era in which states will become increasingly aggressive in their use of drones.¶ As drones develop the ability to fly completely autonomously, Sharkey predicts a proliferation of their use that will set dangerous precedents, seemingly inviting hostile nations to use drones against one another. Yet, **the narrow applications of** current **drone tech**nology **coupled with** what we know about **state behavior** in the international system **lend no credence to** these **ominous warnings**.¶ Indeed, critics seem overly-focused on the domestic implications of drone use.¶ In a June piece for the Financial Times, Michael Ignatieff writes that “virtual technologies make it easier for democracies to wage war because they eliminate the risk of blood sacrifice that once forced democratic peoples to be prudent.”¶ Significant public support for the Obama Administration’s increasing deployment of drones would also seem to legitimate this claim. Yet, **there remain** equally **serious** **diplomatic and political** **costs** that emanate from **beyond a fickle electorate, which** will **prevent** the likes of the **increased drone aggression** predicted by both Ignatieff and Sharkey.¶ Most recently, **the** serious **diplomatic scuffle instigated by Syria**’s **downing a Turkish reconnaissance plane** in June **illustrated** **the** very serious **risks** of operating any aircraft in foreign territory.¶ **States** **launching drones must still weigh** the **diplomatic and political costs** of their actions, **which make the calculation surrounding their use no fundamentally different** to any other aerial engagement.¶ **This** recent bout also **illustrated a salient point** regarding drone technology: **most states maintain** at least minimal air **defenses that can quickly detect and take down drones**, as the U.S. discovered when it employed drones at the onset of the Iraq invasion, while Saddam Hussein’s surface-to-air missiles were still active.¶ What the U.S. also learned, however, was that **drones constitute an effective military tool in an extremely narrow strategic context.** They are well-suited either in direct support of a broader military campaign, or to conduct targeted killing operations against a technologically unsophisticated enemy.¶ In a nutshell, then, the very contexts in which we have seen drones deployed. Northern Pakistan, along with a few other regions in the world, remain conducive to drone usage given a lack of air defenses, poor media coverage, and difficulties in accessing the region.

**No Chinese drone aggression – political constraints**

**Erickson 13** 5/23 – associate professor at the Naval War College and an Associate in Research at Harvard University’s Fairbank Center (Andrew, and Austin Strange, researcher at the Naval War College’s China Maritime Studies Institute and a graduate student at Zhejiang University, “China Has Drones. Now What?”, 2013, <http://www.foreignaffairs.com/articles/139405/andrew-erickson-and-austin-strange/china-has-drones-now-what?page=show>, CMR)

Indeed, the time to fret about when China and other authoritarian countries will acquire drones is over: they have them. The question now is when and how they will use them. But as with its other, less exotic military capabilities, **Beijing has cleared only a technological hurdle** -- **and its behavior will continue to be constrained by politics**.¶ China has been developing a drone capacity for over half a century, starting with its reverse engineering of Soviet Lavochkin La-17C target drones that it had received from Moscow in the late 1950s. Today, Beijing’s opacity makes it difficult to gauge the exact scale of the program, but according to Ian Easton, an analyst at the Project 2049 Institute, by 2011 China’s air force alone had over 280 combat drones. In other words, its fleet of unmanned aerial vehicles is already bigger and more sophisticated than all but the United States’; in this relatively new field Beijing is less of a newcomer and more of a fast follower. And the force will only become more effective: the Lijian (“sharp sword” in Chinese), a combat drone in the final stages of development, will make China one of the very few states that have or are building a stealth drone capacity.¶ This impressive arsenal may tempt China to pull the trigger. The fact that a Chinese official acknowledged that Beijing had considered using drones to eliminate the Burmese drug trafficker, Naw Kham, made clear that it would not be out of the question for China to launch a drone strike in a security operation against a nonstate actor. Meanwhile, as China’s territorial disputes with its neighbors have escalated, there is a chance that Beijing would introduce unmanned aircraft, especially since India, the Philippines, and Vietnam distantly trail China in drone funding and capacity, and would find it difficult to compete. Beijing is already using drones to photograph the Senkaku/Diaoyu Islands it disputes with Japan, as the retired Chinese Major General Peng Guangqian revealed earlier this year, and to keep an eye on movements near the North Korean border.¶ **Beijing**, however, **is unlikely to use its drones lightly**. **It already faces tremendous criticism** from much of the international community **for its perceived brazenness in** continental and maritime **sovereignty disputes**. **With its leaders attempting to allay notions that China’s rise poses a threat** to the region, **injecting drones** conspicuously into these disputes **would prove counterproductive. China also fears setting a precedent for the use of drones in East Asian hotspots that the U**nited **S**tates **could eventually exploit**. For now, **Beijing** is showing that it **understands these risks, and** to date it **has limited its use of drones** in these areas to surveillance, according to recent public statements from China’s Defense Ministry.¶ What about using drones outside of Chinese-claimed areas? **That China did not**, in fact, launch a drone **strike** on **the Burmese drug criminal underscores its caution**. According to Liu Yuejin, the director of the antidrug bureau in China’s Ministry of Public Security, **Beijing considered using a drone** carrying a 20-kilogram TNT payload **to bomb Kham’s mountain** redoubt in northeast Myanmar. Kham had already evaded capture three times, so a drone strike may have seemed to be the best option. The authorities apparently had at least two plans for capturing Kham. The method they ultimately chose was to send Chinese police forces to lead a transnational investigation that ended in April 2012 with Kham’s capture near the Myanmar-Laos border. **The** ultimate **decision to refrain** from the strike **may reflect** both **a fear of political reproach and a lack of confidence in untested drones, systems, and operators**.¶ **The restrictive position** that **Beijing takes on sovereignty in international forums will further constrain its use of drones**. **China is not likely to publicly deploy drones** for precision strikes or in other military assignments **without first having been granted a credible mandate to do so**. The gold standard of such an authorization is a resolution passed by the UN Security Council, the stamp of approval that has permitted Chinese humanitarian interventions in Africa and antipiracy operations in the Gulf of Aden. China might consider using drones abroad with some sort of regional authorization, such as a country giving Beijing explicit permission to launch a drone strike within its territory. But **even with** the **endorsement** of the international community or specific states, **China would have to weigh any benefits of a drone strike** abroad **against the potential for mishaps and perceptions** that **it was infringing on other countries’ sovereignty -- something Beijing regularly decries** when others do it.¶ The **limitations** on China’s drone use **are reflected in the country’s academic literature** on the topic. The bulk of Chinese drone research is dedicated to scientific and technological topics related to design and performance. The articles that do discuss potential applications primarily point to major combat scenarios -- such as a conflagration with Taiwan or the need to attack a U.S. aircraft carrier -- which would presumably involve far more than just drones. **Chinese researchers have thought a great deal about the utility of drones** **for** domestic **surveillance and law enforcement**, as well as for non-combat-related tasks near China’s contentious borders. **Few scholars**, **however**, **have** publicly **considered** the **use of drone strikes overseas**.¶ Yet there is a reason why the United States has employed drones extensively despite domestic and international criticism: it is much easier and cheaper to kill terrorists from above than to try to root them out through long and expensive counterinsurgency campaigns. Some similar challenges loom on China’s horizon. Within China, Beijing often considers protests and violence in the restive border regions, such as Xinjiang and Tibet, to constitute terrorism. It would presumably consider ordering precision strikes to suppress any future violence there. **Even if** such **strikes are operationally prudent, China’s leaders understand** that **they would damage the country’s image abroad**, but they prioritize internal stability above all else. Domestic surveillance by drones is a different issue; there should be few barriers to its application in what is already one of the world’s most heavily policed societies. China might also be willing to use stealth drones in foreign airspace without authorization if the risk of detection were low enough; it already deploys intelligence-gathering ships in the exclusive economic zones of Japan and the United States, as well as in the Indian Ocean.¶ Still, although China enjoys a rapidly expanding and cutting-edge drone fleet, it is bound by the same rules of the game as the rest of the military’s tools. Beyond surveillance, the other non-lethal military actions that China can take with its drones are to facilitate communications within the Chinese military, support electronic warfare by intercepting electronic communications and jamming enemy systems, and help identify targets for Chinese precision strike weapons, such as missiles. **Beijing’s overarching approach remains** one of **caution** -- something Washington must bear in mind with its own drone program.

**No impact to South China Sea conflict**

**Goldstein, 2011,** Lyle, associate professor in the China Maritime Studies Institute at the U.S. Naval War College in Newport, R.I. He is co-editor of the recent volumes China, the United States and 21st-Century Sea Power: Defining a Maritime Security Partnership and Chinese Aerospace Power: Evolving Maritime Roles. “The South China Sea's Georgia Scenario,” <http://www.foreignpolicy.com/articles/2011/07/11/the_south_china_seas_georgia_scenario?page=0,2>

The brutal truth, however, is **that Southeast Asia matters not a whit in the global balance of power. Most of the region comprises small, poor countries of no consequence** whatsoever, but the medium powers in the region, such as Vietnam, Indonesia, and Australia will all naturally and of their own accord stand up against a potentially more aggressive China. **If China and Vietnam go to war over some rocks in the ocean, they will inevitably both suffer a wide range of deleterious consequences, but it will have only a marginal impact on U.S. national security.** True, these sea lanes are critical to **the Japanese and South Korean economies, but both of these states are endowed with large and capable fleets -- yet another check on Beijing's ambitions.China, moreover, is all too aware of what happened to Georgia in 2008**. In that unfortunate case, the United States showered a new ally with high-level attention and military advisors. But when Russian tanks rolled in, effectively annexing a large section of the country and utterly destroying Tbilisi's armed forces, **Washington's response amounted to a whimper: There was, in the end, no appetite for risking a wider conflict** with Moscow over a country of marginal strategic interest. The lessons for Southeast Asia should be clear. Washington must avoid the temptation -- despite local states cheering it on at every opportunity -- to overplay its hand**. The main principle guiding U.S. policy regarding the South China Sea has been and should remain nonintervention.** Resource disputes are inherently messy and will not likely be decided by grand proclamations or multilateral summitry. Rather, progress will be a combination of backroom diplomacy backed by the occasional show of force by one or more of the claimants. In fact, **Beijing's record of conflict resolution over the last 30 years is rather encouraging: China has not resorted to a major use of force since 1979.**

#### No great power draw in

Richard Weitz 06, senior fellow and associate director of the Center for Future Security Strategies at the Hudson Institute, Summer, 2006 [Washington Quarterly, “Averting a New Great Game in Central Asia”]

Fortunately, the fact that Central Asia does not represent the most important geographic region for any external great power also works against the revival of a traditional, geopolitical great-game conflict. Russia, China, and the United States have strong reasons to cooperate in the region. Although each country has extensive goals in Central Asia, the resources they have available to pursue them are limited, given other priorities. As long as their general relations remain non-confrontational, Moscow, Beijing, and Washington are unlikely to pursue policies in a lower priority region such as Central Asia that could disrupt their overall ties. Most often, they will find it more efficient and effective to collaborate to diminish redundancies, exploit synergies, and pool funding and other scarce assets in the pursuit of common objectives. Unfounded fears or overtly competitive policies could undermine these opportunities for cooperation and should be avoided.

**Solvency 1NC**

**Oversight won’t restrict drone use – aff solvency is theoretical at best**

**Joyner 7/27 – managing editor of the Atlantic Council, popular political blogger**

[James, “**Oversight or Not, Drones Are Here to Stay**”, 2013, <http://www.acus.org/new_atlanticist/oversight-or-not-drones-are-here-stay>, CMR]

In "The Imperial Presidency: Drone Power and Congressional Oversight," Michael Cohen argues persuasively that the U.S. **Congress has abdicated its** constitutional and statutory **responsibility to reign in the executive branch** **in matters of national security policy**. Then again, few who have been paying attention this past decade -- some would say, the past several decades -- need much convincing on that point.¶ Yet, **while I agree** with Cohen that **we** desperately **need Congress to** **do its job** here as a matter of principle, **it's far from clear** that **it would change our policy.**¶Cohen cites the extraordinary decision to kill American citizens Anwar al-Awlaki and Samir Khan in a Predator strike in Yemen last September as particularly troubling. While Cohen and I both find risible the administration's claim that its internal deliberations over the assassination of U.S. citizens qualify as their constitutionally guaranteed right to "due process," it's pretty clear that we're in the minority.¶ In the immediate aftermath of the raid, President Barack Obama earned effusive praise across the political spectrum.¶ Rep. Peter T. King, the Republican chairman of the House Homeland Security Committee, issued a statement declaring, "The killing of al-Awlaki is a tremendous tribute to President Obama and the men and women of our intelligence community."¶ Mitt Romney, already the Republican frontrunner in the race to unseat Obama, called the killing "a major victory in our fight against Islamist terrorism and proper justice for the numerous attacks and plots [Awlaki] inspired or planned against America." ¶ Obama's fellow Democrats were similarly effusive.¶ Meanwhile, a June survey by the Pew Research Center found that these strikes were equally popular with the American public, with 62 percent approving, "including most Republicans (74 percent), independents (60 percent) and Democrats (58 percent)." And a February ABC News/Washington Post poll found even stronger support. The Post write-up drolly noted, "83 percent of Americans approve of Obama’s drone policy, which administration officials refuse to discuss, citing security concerns." ¶ Cohen, it should be noted, is fully aware of all this. In an insightful piece for Foreign Policylast month, he pointed out that all of the Obama policies that are controversial among foreign policy wonks are wildly popular with voters. Indeed, he remarks, Obama's toughest critics are in "his own liberal base." As Cohen rightly states, "It's hard to imagine that the Obama campaign in Chicago is worrying much about such criticism."¶ This is hardly surprising, as **Americans rarely punish a president for taking aggressive actions in the name of** their **safety**. Back in January 2006, when former President George W. Bush enjoyed just 37 percent support in polls, the public nonetheless backed his controversial, arguably illegal, policy of eavesdropping on the telephone calls of Americans without a warrant. A New York Times/CBS News poll found that 53 percent supported monitoring "Americans that the government is suspicious of" in connection with terrorism.A Gallup poll found the identical result a month later.¶ In his 1957 classic, “The President: Office and Powers,” Edward S. Corwin famously declared, "The Constitution is an invitation to struggle for the privilege of directing American foreign policy." While the framers clearly intended for Congress to be the predominant branch in domestic policy, both branches were given substantial power in the realm of international affairs, with no bright lines to delineate them. Most notably, Congress is granted the power to declare war, but the president, as commander-in-chief, has the power to send troops into harm's way.¶ In practice, however, **presidents have been winning this struggle for more than a century**. Teddy **Roosevelt was famously contemptuous of Congress in** matters of **foreign affairs**, mocking their dithering over the Panama Canal and sending the Navy halfway around the world, daring Congress not to appropriate the funds to bring it back.¶ Franklin **Roosevelt permanently redefined the** role of the **presidency** during his three-plus terms. Demanding in September 1942 that Congress amend the Emergency Price Control Act, he declared, “The president has the powers, under the Constitution and under congressional acts, to take measures necessary to avert a disaster which would interfere with the winning of the war.''¶ Roosevelt went on to submit the amendments to Congress, which acceded to his demands, so the judiciary never had a chance to rule on whether the president could so brazenly flout the law. ¶ During **the Cold War**, the **National Security Act** of 1947 **further centralized national security policy in the White House**, leaving Congress increasingly isolated. **This was** quickly **followed by** an undeclared war in **Korea**, a slow descent into an undeclared war in **Vietnam** **and** **numerous** military and intelligence **operations of dubious legality**, especially in Latin America. ¶ Historian Arthur Schlesinger dubbed this largely unchecked growth of executive power the Imperial Presidency. **Congress reasserted itself** with the 1973 War Powers Act and the 1975 Church Committee hearings, **but the momentum of expanding executive authority was already too great**. **Presidents have largely treated the former with impunity**, and though some of the intelligence abuses of the past have been halted, the latter has received substantial blame for the intelligence failures leading up to the Sept. 11 attacks. ¶ **If the Constitution is "an invitation to struggle," it is** to **a struggle that presidents have been winning for decades.** **The modern presidency has reversed the** constitutional **presumption** that **Congress is the pre-eminent branch** and the president secondary. **Since** Franklin **Roosevelt, it has been axiomatic** that "**the president proposes, Congress disposes**." That is **especially** true **in foreign policy and** even more so in **national security** matters.¶ **Congress**, of course, **retains the theoretical power to reverse** all of **this**. While often reckless, Senate Republicans have demonstrated during Obama's tenure just how much institutional power exists to fight back against a president. But **it's** almost **inconceivable** that **any Congress would marshal** its **resources in the cause of "weakening" America’s national security**. Which means that **oversight or not**, **the use of drones is likely to continue** for the foreseeable future.

#### Obama will circumvent Congress in targeted killings – drone strikes prove

Cheryl Chumley, “Forget Executive Orders: Obama Finds Create Ways to Bypass Congress,” WASHINGTON TIMES, 3—28—13, http://www.washingtontimes.com/news/2013/mar/28/forget-executive-orders-obama-finds-creative-means/#ixzz2eWxS0lVE

Move over executive orders. President Obama has another tool to push policy absent congressional stamp — and it’s far less known and controversial. It’s called executive action. The beauty of the action is that it avoids Republican criticisms and conservative charges that Mr. Obama acts like a “monarch” when issuing executive orders, The Hill reports. So while on paper, Mr. Obama may actually appear as if he’s issuing fewer executive orders than many other presidents who have served two terms, the reality is he’s still finding plenty of ways to bypass [Congress](http://www.washingtontimes.com/topics/congress/). He’s just not calling those ways executive orders. “He’s actually been pretty aggressive on a number of fronts,” said [Kenneth Mayer](http://www.washingtontimes.com/topics/kenneth-mayer/), a [University of Wisconsin](http://www.washingtontimes.com/topics/university-of-wisconsin-madison/) political science professor quoted by The Hill. Mr. Obama has disdained the executive order label for “executive actions,” [Mr. Mayer](http://www.washingtontimes.com/topics/kenneth-mayer/) said. And he’s used that action to push his own policy on a variety of issues, from gun control to immigration to overseas drone strikes, The Hill reports. For example, in 2011, the president put a stop to the deportation of thousands of illegal immigrants via a memo to Homeland Security Secretary Janet Napolitano, The Hill reports. “Clearly, she was acting as an instrument of the president,” [Mr. Mayer](http://www.washingtontimes.com/topics/kenneth-mayer/) said. And [Congress](http://www.washingtontimes.com/topics/congress/) wasn’t pleased. The president’s action was “an affront to the process of representative government,” said Republican Sen. Chuck Grassley, in The Hill. “He’s circumventing [Congress](http://www.washingtontimes.com/topics/congress/) with a directive he may not have the authority to execute.”

## 2NC

### A2 “Perm do Both”

**Doesn’t solve prez powers - congressional silence is key**

Bellia 2

[Patricia, Professor of Law @ Notre Dame, “Executive Power in Youngstown’s Shadows” Constitutional Commentary, , 19 Const. Commentary 87, Spring, Lexis]

To see the problems in giving dispositive weight to inferences from congressional action (or inaction), we need only examine the similarities between courts' approach to executive power questions and courts' approach to federal-state preemption questions. If a state law conflicts with a specific federal enactment, n287 or if Congress displaces the state law by occupying the field, n288 a court cannot give the state law effect. Similarly, if executive action conflicts with a specific congressional policy (reflected in a statute or, as Youngstown suggests, legislative history), or if Congress passes related measures not authorizing the presidential conduct, courts cannot give the executive action effect. n289 When Congress is silent, however, the state law will stand; when Congress is silent, the executive action will stand. This analysis makes much sense with respect to state governments with reserved powers, but it makes little sense with respect to an Executive Branch lacking such powers. **The combination of** congressional silence **and judicial inaction** has the **practical** effect of creating power. Courts' reluctance to face questions about the scope of the President's constitutional powers - express and implied - creates three other problems. First, **the implied** presidential power given **effect** by virtue ofcongressional silence **and judicial inaction** can solidify into a broader claim**. When the Executive exercises an "initiating"** or "concurrent" **power, it will tie that power to a textual provision or to a claim about the structure of the Constitution.** Congress's silence **as a practical matter** tends to validate theexecutive rationale, and the Executive **Branch** maythen claim a power not only to exercise the **disputed** authority in the face of congressional silence, but also **to exercise the disputed authority** inthe face of congressional opposition. In other words, a power that the Executive Branch claims is "implied" in the Constitution may soon become an "implied" and "plenary" one. Questions about presidential power to terminate treaties provide a  [\*151]  ready example. The Executive's claim that the President has the power to terminate a treaty - the power in controversy in Goldwater v. Carter, where Congress was silent - now takes a stronger form: that congressional efforts to curb the power are themselves unconstitutional. n290

### A2 “Signalling”

**Constraints through executive coordination solves signaling**

**POSNER & VERMEULE 2006** --- \*Prof of Law at U Chicago, AND \*\* Prof of Law at Harvard (9/19/2006, Eric A. Posner & Adrian Vermeule, “The Credible Executive,” <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=931501)>)

IV. Executive Signaling: Law and Mechanisms

We suggest that the executive’s credibility problem can be solved by second-order mechanisms of executive signaling. In the general case, well-motivated executives send credible signals by taking actions that are more costly for ill-motivated actors than for well-motivated ones, thus distinguishing themselves from their ill-motivated mimics. Among the specific mechanisms we discuss, an important subset involve executive self-binding, whereby executives commit themselves to a course of action that would impose higher costs on ill-motivated actors. Commitments themselves have value as signals of benign motivations.

This departs from the usual approach in legal scholarship. Legal theory has often discussed self-binding by “government” or government officials. In constitutional theory, it is often suggested that constitutions represent an attempt by “the people” to bind “themselves” against their own future decisionmaking pathologies, or relatedly that constitutional prohibitions represent mechanisms by which governments commit themselves not to expropriate investments or to exploit their populations.71 Whether or not this picture is coherent,72 it is not the question we examine here, although some of the relevant considerations are similar.73 We are not concerned with binding the president so that he cannot abuse his powers, but with how he might bind himself or take other actions that enhance his credibility, so that he can generate support from the public and other members of the government.

Furthermore, our question is subconstitutional; it is whether a well-motivated executive, acting within an established set of constitutional and statutory rules, can use signaling to generate public trust. Accordingly we proceed by assuming that no constitutional amendments or new statutes will be enacted. Within these constraints, what can a well-motivated executive do to bootstrap himself to credibility? The problem for the well-motivated executive is to credibly signal his benign motivations; in general, the solution is to engage in actions that are less costly for good types than for bad types.

We begin with some relevant law; then examine a set of possible mechanisms, emphasizing both the conditions under which they might succeed and the conditions under which they might not; and then examine the costs of credibility.

A. A Preliminary Note on Law and Self-Binding

Many of our mechanisms are unproblematic from a legal perspective, as they involve presidential actions that are clearly lawful. But a few raise legal questions; in particular, those that involve self-binding.74 Can a president bind himself to respect particular first-order policies? With qualifications, the answer is “yes, at least to the same extent that a legislature can.” Formally, a duly promulgated executive rule or order binds even the executive unless and until it is validly abrogated, thereby establishing a new legal status quo.75 The legal authority to establish a new status quo allows a president to create inertia or political constraints that will affect his own future choices. In a practical sense, presidents, like legislatures, have great de facto power to adopt policies that shape the legal landscape for the future**.** A president might commit himself to a long-term project of defense procurement or infrastructure or foreign policy, narrowing his own future choices and generating new political coalitions that will act to defend the new rules or policies.

More schematically, we may speak of formal and informal means of self-binding:

(1) The president might use formal means to bind himself. This is possible in the sense that an executive order, if otherwise valid, legally binds the president while it is in effect and may be enforced by the courts. It is not possible in the sense that the president can always repeal the executive order if he can bear the political and reputational costs of doing so.

(2) The president might use informal means to bind himself. This is not only possible but frequent and important. Issuing an executive rule providing for the appointment of special prosecutors, as Nixon did, is not a formal self-binding.76 However, there may be large political costs to repealing the order. This effect does not depend on the courts’ willingness to enforce the order, even against Nixon himself. Court enforcement makes the order legally binding while it is in place, but only political and reputational enforcement can protect it from repeal. Just as a dessert addict might announce to his friends that he is going on a no-dessert diet in order to raise the reputational costs of backsliding and thus commit himself, so too the repeal of an executive order may be seen as a breach of faith even if no other institution ever enforces it.

In what follows, we will invoke both formal and informal mechanisms. For our purposes, the distinction between the authority to engage in de jure self-binding (legally limited and well-defined) and the power to engage in de facto self-binding (broad and amorphous) is secondary. So long as policies are deliberately chosen with a view to generating credibility, and do so by constraining the president’s own future choices in ways that impose greater costs on ill-motivated presidents than on well-motivated ones, it does not matter whether the constraint is formal or informal.

B. Mechanisms

What signaling mechanisms might a well-motivated executive adopt to credibly assure voters, legislators and judges that his policies rest on judgments about the public interest, rather than on power-maximization, partisanship or other nefarious motives? Intrabranch separation of powers. In an interesting treatment of related problems, Neal Katyal suggests that the failure of the Madisonian system counsels “internal separation of powers” within the executive branch.77 Abdication by Congress means that there are few effective checks on executive power; second-best substitutes are necessary. Katyal proposes some mechanisms that would be adopted by Congress, such as oversight hearings by the minority party, but his most creative proposals are for arrangements internal to the executive branch, such as redundancy and competition among agencies, stronger civil-service protections and internal adjudication of executive controversies by insulated “executive” decisionmakers who resemble judges in many ways.78Katyal’s argument is relevant because the mechanisms he discusses might be understood as signaling devices, but his overall approach is conceptually flawed, on two grounds. First, the assumption that second-best constraints on the executive should reproduce the Madisonian separation of powers within the executive branch is never defended. The idea seems to be that this is as close as we can get to the first-best, while holding constant everything else in our constitutional order. But the general theory of second-best states that approaching as closely as possible to the first-best will not necessarily be the preferred strategy;79 the best approach may be to adjust matters on other margins as well, in potentially unpredictable ways. If the Madisonian system has failed in the ways Katyal suggests, the best compensating adjustment might be, for all we know, to switch to a parliamentary system. (We assume that no large-scale changes of this sort are possible, whereas Katyal seemingly assumes that they are, or at least does not make clear his assumptions in this regard). Overall, Katyal’s view has a kind of fractal quality – each branch should reproduce within itself the very same separation of powers structure that also describes the whole system – but it is not explained why the constitutional order should be fractal.

Second, Katyal’s proposals for internal separation of powers are self-defeating: the motivations that Katyal ascribes to the executive are inconsistent with the executive adopting or respecting the prescriptions Katyal recommends.80 Katyal never quite says so explicitly, but he clearly envisions the executive as a power-maximizing actor, in the sense that the president seeks to remove all constraints on his current choices.81 Such an executive would not adopt or enforce the internal separation of powers to check himself. Executive signaling is not, even in principle, a solution to the lack of constraints on a power-maximizing executive in the sense Katyal implicitly intends. Although an illmotivated executive might bind himself to enhance his strategic credibility, as explained above, he would not do so in order to restore the balance of powers. Nor is it possible, given Katyal’s premise of legislative passivity or abdication, that Congress would force the internal separation of powers on the executive. In what follows, we limit ourselves to proposals that are consistent with the motivations, beliefs, and political opportunities that we ascribe to the well-motivated executive, to whom the proposals are addressed. This limitation ensures that the proposals are not self-defeating, whatever their costs.

The contrast here must not be drawn too simply. A well-motivated executive, in our sense, might well attempt to increase his power. The very point of demonstrating credibility is to encourage voters and legislators to increase the discretionary authority of the executive, where all will be made better off by doing so. Scholars such as Katyal who implicitly distrust the executive, however, do not subscribe to this picture of executive motivations. Rather, they see the executive as an unfaithful agent of the voters; the executive attempts to maximize his power even where fully-informed voters would prefer otherwise. An actor of that sort will have no incentive to adopt proposals intended to constrain that sort of actor.

Independent commissions. We now turn to some conceptually coherent mechanisms of executive signaling. Somewhat analogously to Katyal’s idea of the internal separation of powers, a well-motivated executive might establish independent commissions to review policy decisions, either before or after the fact. Presidents do this routinely, especially after a policy has had disastrous outcomes, but sometimes beforehand as well. Independent commissions are typically blue-ribbon and bipartisan.82

We add to this familiar process the idea that the President might gain credibility by publicly committing or binding himself to give the commission authority on some dimension. The president might publicly promise to follow the recommendations of such a commission, or to allow the commission to exercise de facto veto power over a policy decision before it is made, or might promise before the policy is chosen that the commission will be given power to review its success after the fact. To be sure, there will always be some wiggle room in the terms of the promise, but that is true of almost all commitments, which raise the costs of wiggling out even if they do not completely prevent it.

Consider whether George W. Bush’s credibility would have been enhanced had he appointed a blue-ribbon commission to examine the evidence for weapons of mass destruction in Iraq before the 2003 invasion, and publicly promised not to invade unless the commission found substantial evidence of their existence. Bush would have retained his preexisting legal authority to order the invasion even if the commission found the evidence inadequate, but the political costs of doing so would have been large. Knowing this, and knowing that Bush shared that knowledge, the public could have inferred that Bush’s professed motive – elimination of weapons of mass destruction – was also his real motive. Public promises that inflict reputational costs on badly motivated behavior help the well-motivated executive to credibly distinguish himself from the ill-motivated one.

The more common version of this tactic is to appoint commissions after the relevant event, as George W. Bush did to investigate the faulty reports by intelligence agencies that Iraq possessed weapons of mass destruction.83 If the president appoints after-the-fact commissions, the commissions can enhance his credibility for the next event—by showing that he will be willing, after that event, to subject his statements to scrutiny by public experts. Here, however, the demonstration of credibility is weaker, because there is no commitment to appoint any after-the-fact commissions in the future – merely a plausible inference that the president’s future behavior will track his past behavior.

Bipartisan appointments. In examples of the sort just mentioned, the signaling arises from public position-taking. The well-motivated executive might produce similar effects through appointments to office.84 A number of statutes require partisan balance on multimember commissions; although these statutes are outside the scope of our discussion, we note that presidents might approve them because they allow the president to commit to a policy that legislators favor, thus encouraging legislators to increase the scope of the delegation in the first place.85 For similar reasons, presidents may consent to restrictions on the removal of agency officials, because the restriction enables the president to commit to giving the agency some autonomy from the president’s preferences.86

Similar mechanisms can work even where no statutes are in the picture. As previously mentioned, during World War II, FDR appointed Republicans to important cabinet positions, making Stimson his Secretary of War. Clinton appointed William Cohen, a moderate Republican, as Secretary of Defense in order to shore up his credibility on security issues. Bipartisanship of this sort might improve the deliberation that precedes decisions, by impeding various forms of herding, cascades and groupthink;87 however, we focus on its credibility-generating effects. By (1) expanding the circle of those who share the president’s privileged access to information, (2) ensuring that policy is partly controlled by officials with preferences that differ from the president’s, and (3) inviting a potential whistleblower into the tent, bipartisanship helps to dispel the suspicion that policy decisions rest on partisan motives or extreme preferences, which in turn encourages broader delegations of discretion from the public and Congress.

A commitment to bipartisanship is only one way in which appointments can generate credibility. Presidents might simply appoint a person with a reputation for integrity, as when President Nixon appointed Archibald Cox as special prosecutor (although plausibly Nixon did so because he was forced to do so by political constraints, rather than as a tactic for generating credibility). A person with well-known preferences on a particular issue, even if not of the other party or widely respected for impartiality, can serve as a credible whistleblower on that issue. Thus presidents routinely award cabinet posts to leaders of subsets of the president’s own party, leaders whose preferences are known to diverge from the president’s on the subject; one point of this is to credibly assure the relevant interest groups that the president will not deviate (too far) from their preferences.

The Independent Counsel Statute institutionalized the special prosecutor and strengthened it. But the statute proved unpopular and was allowed to lapse in 1999.88 This experience raises two interesting questions. First, why have presidents confined themselves to appointing lawyers to investigate allegations of wrongdoing; why have they not appointed, say, independent policy experts to investigate allegations of policy failure? Second, why did the Independent Counsel Statute fail? Briefly, the statute failed because it was too difficult to control the behavior of the prosecutor, who was not given any incentive to keep his investigation within reasonable bounds.89 Not surprisingly, policy investigators would be even less constrained since they would not be confined by the law, and at the same time, without legal powers they would probably be ignored on partisan grounds. A commission composed of members with diverse viewpoints is harder to ignore, if the members agree with each other.

More generally, the decision by presidents to bring into their administrations members of other parties, or persons with a reputation for bipartisanship and integrity, illustrates the formation of domestic coalitions of the willing. Presidents can informally bargain around the formal separation of powers90 by employing subsets of Congress, or of the opposing party, to generate credibility while maintaining a measure of institutional control. FDR was willing to appoint Knox and Stimson, but not to give the Republicans in Congress a veto. Truman was willing to ally with Arthur Vandenbergh but not with all the Republicans; Clinton was willing to appoint William Cohen but not Newt Gingrich. George W. Bush likewise made a gesture towards credibility by briefing members of the Senate Intelligence Committee – including Democrats – on the administration’s secret surveillance program(s), which provided a useful talking point when the existence of the program(s) was revealed to the public.

Counter-partisanship. Related to bipartisanship is what might be called counterpartisanship: presidents have greater credibility when they choose policies that cut against the grain of their party’s platform or their own presumed preferences.91 Only Nixon could go to China, and only Clinton could engineer welfare reform. Voters and publics rationally employ a political heuristic: the relevant policy, which voters are incapable of directly assessing, must be highly beneficial if it is chosen by a president who is predisposed against it by convictions or partisan loyalty.92 Accordingly, those who wish to move U.S. terrorism policy towards greater security and less liberty might do well to support the election of a Democrat.93 By the same logic, George W. Bush is widely suspected of nefarious motives when he rounds up alleged enemy combatants, but not when he creates a massive prescription drug benefit.

Counter-partisanship can powerfully enhance the president’s credibility, but it depends heavily on a lucky alignment of political stars. A peace-loving president has credibility when he declares a military emergency but not when he appeases; a belligerent president has credibility when he offers peace but not when he advocates military solutions. A lucky nation has a well-motivated president with a belligerent reputation when international tensions diminish (Ronald Reagan) and a president with a pacific reputation when they grow (Abraham Lincoln, who opposed the Mexican War). But a nation is not always lucky.

Transparency. The well-motivated executive might commit to transparency, as a way to reduce the costs to outsiders of monitoring his actions.94 The FDR strategy of inviting potential whistleblowers from the opposite party into government is a special case of this; the implicit threat is that the whistleblower will make public any evidence of partisan motivations. The more ambitious case involves actually exposing the executive’s decisionmaking processes to observation. To the extent that an ill-motivated executive cannot publicly acknowledge his motivations or publicly instruct subordinates to take them into account in decisionmaking, transparency will exclude those motivations from the decisionmaking process. The public will know that only a well-motivated executive would promise transparency in the first place, and the public can therefore draw an inference to credibility.

Credibility is especially enhanced when transparency is effected through journalists with reputations for integrity or with political preferences opposite to those of the president. Thus George W. Bush gave Bob Woodward unprecedented access to White House decisionmaking, and perhaps even to classified intelligence,95 with the expectation that the material would be published. This sort of disclosure to journalists is not real-time transparency – no one expects meetings of the National Security Council to appear on CSPAN – but the anticipation of future disclosure can have a disciplining effect in the present. By inviting this disciplining effect, the administration engages in signaling in the present through (the threat of) future transparency.

There are complex tradeoffs here, because transparency can have a range of harmful effects. As far as process is concerned, decisionmakers under public scrutiny may posture for the audience, may freeze their views or positions prematurely, and may hesitate to offer proposals or reasons for which they can later be blamed if things go wrong.96 As for substance, transparency can frustrate the achievement of programmatic or policy goals themselves. Where security policy is at stake, secrecy is sometimes necessary to surprise enemies or to keep them guessing. Finally, one must take account of the incentives of the actors who expose the facts—especially journalists who might reward presidents who give them access by portraying their decisionmaking in a favorable light.97

We will take up the costs of credibility shortly.98 In general, however, the existence of costs does not mean that the credibility-generating mechanisms are useless. Quite the contrary: where the executive uses such mechanisms, voters and legislators can draw an inference that the executive is well-motivated, precisely because the existence of costs would have given an ill-motivated executive an excuse not to use those mechanisms.

### solves

#### CP creates executive accountability and transparency

McNeal 13 – public policy professor @ Pepperdine University, national security specialist, and former Assistant Director of the Institute for Global Security

Gregory S., “Targeted Killing and Accountability” *Georgetown Law Journal*, Forthcoming [http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=1819583] March 5 //mtc

V. ACCOUNTABILITY REFORMS¶ A. Defend the Process. Perhaps the most obvious way to add accountability to the targeted killing process is for someone in government to describe the process the way this article has, and from there, defend the process. The task of describing the government’s policies in detail should not fall to anonymous sources, confidential interviews, and selective leaks. Government’s failure to defend policies is not a phenomenon that is unique to post 9/11 targeted killings. In fact, James Baker once noted "In my experience, the United States does a better job at incorporating intelligence into its targeting decisions than it does in using intelligence to explain those decisions after the fact. This in part reflects the inherent difficulty in articulating a basis for targets derived from ongoing intelligence sources and methods. Moreover, it is hard to pause during ongoing operations to work through issues of disclosure…But articulation is an important part of the targeting process that must be incorporated into the decision cycle for that subset of targets raising the hardest issues…"519¶ Publicly defending the process is a natural fit for public accountability mechanisms. It provides information to voters and other external actors who can choose to exercise a degree of control over the process. However, a detailed public defense of the process also bolsters bureaucratic and professional accountability by demonstrating to those within government that they are involved in activities that their government is willing to publicly describe and defend (subject to the limits of necessary national security secrecy). However, the Executive branch, while wanting to reveal information to defend the process, similarly recognizes that by revealing too much information they may face legal accountability mechanisms that they may be unable to control, thus their caution is understandable (albeit self-serving).520 It’s not just the Executive branch that can benefit from a healthier defense of the process. Congress too can bolster the legitimacy of the program by specifying how they have conducted their oversight activities. The best mechanism by which they can do this is through a white paper. That paper could include:¶ A statement about why the committees believe the U.S. government's use of force is lawful. If the U.S. government is employing armed force it's likely that it is only doing so pursuant to the AUMF, a covert action finding, or relying on the President's inherent powers under the Constitution. Congress could clear up a substantial amount of ambiguity by specifying that in the conduct of its oversight it has reviewed past and ongoing targeted killing operations and is satisfied that in the conduct of its operations the U.S. government is acting consistent with those sources of law. Moreover, Congress could also specify certain legal red lines that if crossed would cause members to cease believing the program was lawful. For example, if members do not believe the President may engage in targeted killings acting only pursuant to his Article II powers, they could say so in this white paper, and also articulate what the consequences of crossing that red line might be. To bolster their credibility, Congress could specifically articulate their powers and how they would exercise them if they believed the program was being conducted in an unlawful manner. Perhaps stating: "The undersigned members affirm that if the President were to conduct operations not authorized by the AUMF or a covert action finding, we would consider that action to be unlawful and would publicly withdraw our support for the program, and terminate funding for it."¶ A statement detailing the breadth and depth of Congressional oversight activities. When Senator Feinstein released her statement regarding the nature and degree of Senate Intelligence Committee oversight of targeted killing operations it went a long way toward bolstering the argument that the program was being conducted in a responsible and lawful manner. An oversight white paper could add more details about the oversight being conducted by the intelligence and armed services committees, ex

plaining in as much detail as possible the formal and informal activities that have been conducted by the relevant committees. How many briefings have members attended? Have members reviewed targeting criteria? Have members had an opportunity to question the robustness of the internal kill-list creation process and target vetting and validation processes? Have members been briefed on and had an opportunity to question how civilian casualties are counted and how battle damage assessments are conducted? Have members been informed of the internal disciplinary procedures for the DoD and CIA in the event a strike goes awry, and have they been informed of whether any individuals have been disciplined for improper targeting? Are the members satisfied that internal disciplinary procedures are adequate?¶ 3) Congressional assessment of the foreign relations implications of the program. The Constitution divides some foreign policy powers between the President and Congress, and the oversight white paper should articulate whether members have assessed the diplomatic and foreign relations implications of the targeted killing program. While the white paper would likely not be able to address sensitive diplomatic matters such as whether Pakistan has privately consented to the use of force in their territory, the white paper could set forth the red lines that would cause Congress to withdraw support for the program. The white paper could specifically address whether the members have considered potential blow-back, whether the program has jeopardized alliances, whether it is creating more terrorists than it kills, etc. In specifying each of these and other factors, Congress could note the types of developments, that if witnessed would cause them to withdraw support for the program. For example, Congress could state "In the countries where strikes are conducted, we have not seen the types of formal objections to the activities that would normally be associated with a violation of state's sovereignty. Specifically, no nation has formally asked that the issue of strikes in their territory be added to the Security Council's agenda for resolution. No nation has shot down or threatened to shoot down our aircraft, severed diplomatic relations, expelled our personnel from their country, or refused foreign aid. If we were to witness such actions it would cause us to question the wisdom and perhaps even the legality of the program." B. Use Performance Reporting to Encourage Good Behavior Another transparency related reform that could engender greater accountability would be to report performance data. Specifically, the government could report the number of strikes the CIA and the Department of Defense conducted in a given time period. As was discussed above, the law of armed conflict requires that any harm resulting from a strike may not be disproportionate when compared the military advantage anticipated. From this standard, some variables for a performance metric become clear: 1) Was there collateral damage resulting from the military action? 2) If so, was the collateral damage excessive in relation to the military advantage anticipated? Variable 1 lends itself to tracking and reporting (subject to the difficulties of AAR and BDA), Variable 2 only arises if collateral damage occurred, and the questions that should flow from it are A) Was the collateral damage expected? If it was, then the commander must have engaged in some analysis as to whether the anticipated harm was proportional to the military advantage anticipated. Thus, the only remaining metric that would need to be documented is whether the damage was proportional; and B) If the collateral damage was not expected, why not? Some causes of potentially unexpected collateral harm may be an intelligence failure, a failure to follow procedures, changes in the operational circumstances, inadequate procedures, among others. Each of these variables can be tracked as part of an accountability and performance metric. For example, the data could include the collateral harm anticipated before a strike, and the battle damage assessment after the fact. The data would not need to be reported on a strike-by-strike basis to be effective, rather aggregate data could prove quite useful. For example, in Part III.B. I describe how CENTCOM data indicates that less than 1% of targeted killing operations resulted in harm to civilians, whereas outside observers estimate that 8%-47% of CIA strikes in Pakistan inflicted harm to civilians. Imagine these data were official numbers published by the Department of Defense and CIA respectively. It’s safe to assume that such reports showing that the CIA was eight to forty seven times more likely to inflict harm to civilians would force a serious reexamination of CIA bureaucratic practices, extensive political oversight, professional embarrassment and perhaps even the prospect of judicial intervention. Moreover, the publication of such data may have the salutary effect of causing bureaucratic competition between the Department of Defense and CIA over which agency could be better at protecting civilians, a form of bureaucratic accountability with professionalism mixed in. Of course there are costs associated with such reporting. The tracking requirements would be extensive and may impose an operational burden on attacking forces --- however, an administrative burden is not a sufficient reason to not reform the process, especially when innocent lives are on the line. Another cost may be the cost to security of revealing information that even has the slightest possibility of aiding the enemy in developing countermeasures against American operations. C. Publish Targeting Criteria Related to defending the process, and using performance data is the possibility that the U.S. government could publish the targeting criteria it follows. That criteria need not be comprehensive, but it could be sufficiently detailed as to give outside observers an idea about who the individuals singled out for killing are and what they are alleged to have done to merit their killing. As Bobby Chesney has noted, "Congress could specify a statutory standard which the executive branch could then bring to bear in light of the latest intelligence, with frequent reporting to Congress as to the results of its determinations."521 What might the published standards entail? First, Congress could clarify the meaning of associated forces, described in Part I and II. In the alternative, it could do away with the associated forces criteria altogether, and instead name each organization against which force is being authorized,522 such an approach would be similar to the one followed by the Office of Foreign Assets Control when it designates financial supporters of terrorism for sanctions.523¶ The challenge with such a reporting and designation strategy is that it doesn’t fit neatly into the network based targeting strategy and current practices outlined in Parts I-III. If the U.S. is seeking to disrupt networks, then how can there be reporting that explains the networked based targeting techniques without revealing all of the links and nodes that have been identified by analysts? Furthermore, for side payment targets, the diplomatic secrecy challenges identified in Part I remain --- there simply may be no way the U.S. can publicly reveal that it is targeting networks that are attacking allied governments. These problems are less apparent when identifying the broad networks the U.S. believes are directly attacking American interests, however publication of actual names of targets will be nearly impossible (at least ex ante) under current targeting practices.¶ As was discussed above, the U.S. government and outside observers may simply be using different benchmarks to measure success. Some observers are looking to short term gains from a killing while others look to the long term consequences of the targeted killing policy. Should all of these metrics and criteria be revealed? Hardly. However, the U.S. should articulate what strategic level goals it is hoping to achieve through its targeted killing program. Those goals certainly include disrupting specified networks. Articulating those goals, and the specific networks the U.S. is targeting may place the U.S. on better diplomatic footing, and would certainly engender mechanisms of domestic political accountability. D. Publish costs (in dollars) A proven accountability technique in the public administration literature is publishing the costs associated with government activity. Targeted killings may be a worthwhile case for proving that publishing the financial costs of strikes can impose a mechanism of accountability. This is the case because unlike a traditional war where the American people understand victories like the storming of the beaches at Normandy, the expulsion of Iraqi troops from Kuwait, or even (in a nonhot war context) the fall of the Berlin wall – this conflict against nonstate actors is much harder to assess. As such, the American people may understand the targeted killing of a key al Qaeda leader like Anwar al Aulaqi, and they may be willing to pay any price to eliminate him. But what about less well known targets such as Taliban leaders? Take the example of Abdul Qayam, a Taliban commander in Afghanistan’s Zabul Province who was killed in an airstrike in October of 2011.524 Do the American people even know who he is, let alone the money spent to kill him? According to a report, the Navy spends $20,000 per hour on strikes like the one that killed Qayam, and each sortie generally lasts eight hours.525 While the American people may be generally supportive of targeted killings, they are unaware of the financial costs associated with the killings. Publishing the aggregate cost of strikes, along with the number of strikes would not reveal any classified information, but would go a long way towards ensuring political accountability for the targeted killing program. Such an accountability reform might also appeal to individuals across the ideological spectrum, from progressives who are opposed to strikes on moral grounds to fiscal conservatives who may oppose the strikes on the basis of financial cost. In fact, according to the 9/11 Commission Report, during the 1990’s, one of the most effective critiques of the cruise missile strikes against al Qaeda training camps was cost. Specifically some officials questioned whether “hitting inexpensive and rudimentary training camps with costly missiles would not do much good and might even help al Qaeda if the strikes failed to kill Bin Ladin.”526 E. Establish Independent Review by a Defense and Intelligence Review Board for Targeted Killings The transparency related accountability reforms specified above have the ability to expose wrongdoing; however that’s not the only goal of accountability. Accountability is also designed to deter wrongdoing. By exposing governmental activity, transparency oriented reforms can influence the behavior of all future public officials—to convince them to live up to public expectations 527 The challenge associated with the reforms articulated above is a bias towards the status quo.528 Very few incentives exist for elected officials to exercise greater oversight over targeted killings and interest group advocacy is not as strong in matters of national security and foreign affairs as it is in domestic politics.529¶ To overcome the bias towards the status quo, Congress should consider creating an independent review board within the executive branch.530 That review board should be composed of individuals selected by the minority and majority leadership of the House and Senate, thus ensuring bi-partisan representation. The individuals on the review board should be drawn from the ranks of former intelligence and military officers, lending their report enhanced credibility. These individuals should be responsible for publishing an annual report analyzing how well the government’s targeted killing program is performing. The goal would be a strategic assessment of costs and benefits, including the fiscal costs, potential blowback, collateral damage and other details that are currently held deep within the files of the targeting bureaucracy.¶ Such a commission has the potential to be quite successful. As Posner and Vermeule have highlighted, bipartisan independent commissions can be established to review policies before and after the fact, and the president might gain credibility by binding himself to give the commission some authority on some dimension.531 A president might publicly promise to follow the recommendations of such a commission and may give power to a commission to review the success of his policy choices after the fact.532 These commissions can be successful because they signal the executive’s interest in maintaining credibility, winning the support of the public, and a willingness to give up control of information that allows others to subject the executive branch to critiques. The legislature may prefer this solution because it allows them to claim they are holding the executive branch accountable while at the same time shifting the blame for poor accountability decisions to others. The commission could review the program in its entirety, or could conduct audits on specified areas of the program.

### A2 “Object Fiat”

#### No link: Object of the resolution is “authority” not “war powers”--restricting authority requires reducing the permission to act, not the ability to act.

#### Taylor, 1996 (Ellen, 21 Del. J. Corp. L. 870 (1996), Hein Online)

The term authority is commonly thought of in the context of the law of agency, and the Restatement (Second) of Agency defines both power and authority.'89 Power refers to an agent's ability or capacity to produce a change in a legal relation (whether or not the principal approves of the change), and authority refers to the power given (permission granted) to the agent by the principal to affect the legal relations of the principal; the distinction is between what the agent can do and what the agent may do.

#### This is a core legal distinction

Rob Jenkins.—associate professor of English at Georgia Perim¶ 27-year veteran of higher education, as both a faculty member and an administrator April 3, 2012, 12:22 pm¶ How Much Do You Work? <http://chronicle.com/blogs/onhiring/author/rjenkins/page/5>. Gender edited

Anytime the President of the United States sends American servicemen and women into harm’s way, politicians and pundits are sure to argue over whether or not [s]he has the authority to do so. I’m not qualified to participate in that kind of constitutional debate. But I can offer the following observation: whether or not the President has the authority to deploy troops in a given situation, [s]he certainly has the power to do so. That’s because authority and power are not the same thing, even though many leaders fail to grasp the distinction. In particular, an alarming number of academic administrators these days don’t seem to understand the difference between exercising duly constituted authority and merely wielding power. Authority is essentially the capacity to carry out one’s duties and responsibilities. Faculty members have the authority to assign final grades, because doing so is one of their responsibilities. Likewise, department chairs have authority to evaluate faculty members, deans have authority to assign faculty lines, presidents have authority to determine budgets, and so on. For authority to be valid, it must be ceded, which is to say derived from something larger than itself. The officers of a college, for instance, typically derive their authority from elected or appointed boards. At an institution that truly embraces the principles of shared governance, other stakeholders are also ceded authority in certain areas by the properly constituted bylaws and policies of the institution–for example, the faculty’s authority over curricular issues. Even a college president does not have the authority, outside of the policies by which all are bound, to tell faculty members how to teach, how to conduct research, or what to write. However, this does not mean that presidents and other administrators do not sometimes take such authority upon themselves. They can do so, even if illegitimately, because of the enormous power they wield. Power is something quite different from authority. It tends to be seized rather than ceded. It is essentially the ability to force others to conform to one’s wishes, whether they want to or not, because of what might happen to them if they don’t. People with power can make other people’s lives miserable, prevent them from getting promotions and raises, perhaps cost them their jobs–even when such actions are not strictly within their properly ceded authority.

### A2 “Links to Politics”

CP is executive action—obviously avoids Congressional fights

Fine 12

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We also should expect presidents to prioritize and be strategic in the types of executive orders that they create to maneuver around a hostile Congress. There are a variety of reasons that can drive a president’s decision. For example, presidents can use an executive order to move the status quo of a policy issue to a position that is closer to their ideal point. By doing so, presidents are able to pressure Congress to respond, perhaps by passing a new law that represents a compromise between the preferences of the president and Congress. Forcing Congress’s hand to enact legislation might be a preferred option for the president, if he perceives Congress to be unable or unwilling to pass meaningful legislation in the ﬁrst place. While it is possible that such unilateral actions might spur Congress to pass a law to modify or reverse a president’s order, such responses by Congress are rare (Howell

2003, 113-117; Warber 2006, 119). Enacting a major policy executive order allows the president to move the equilibrium toward his preferred outcome without having to spend time lining up votes or forming coalitions with legislators. As a result, and since reversal from Congress is unlikely, presidents have a greater incentive to issue major policy orders to overcome legislative hurdles.

The CP triggers Congressional follow-on and avoids confrontation

Zbigniew Brzezinski, national security advisor under U.S. President Jimmy Carter, 12/3/12, Obama's Moment, www.foreignpolicy.com/articles/2012/12/03/obamas\_moment

In foreign affairs, the central challenge now facing President Barack Obama is how to regain some of the ground lost in recent years in shaping U.S. national security policy. Historically and politically, in America's system of separation of powers, it is the president who has the greatest leeway for decisive action in foreign affairs. He is viewed by the country as responsible for Americans' safety in an increasingly turbulent world. He is seen as the ultimate definer of the goals that the United States should pursue through its diplomacy, economic leverage, and, if need be, military compulsion. And the world at large sees him -for better or for worse -as the authentic voice of America.

To be sure, he is not a dictator. Congress has a voice. So does the public. And so do vested interests and foreign-policy lobbies. The congressional role in declaring war is especially important not when the United States is the victim of an attack, but when the United States is planning to wage war abroad. Because America is a democracy, public support for presidential foreign-policy decisions is essential. But no one in the government or outside it can match the president's authoritative voice when he speaks and then decisively acts for America.

This is true even in the face of determined opposition. Even when some lobbies succeed in gaining congressional support for their particular foreign clients in defiance of the president, for instance, many congressional signatories still quietly convey to the White House their readiness to support the president if he stands firm for "the national interest." And a president who is willing to do so publicly, while skillfully cultivating friends and allies on Capitol Hill, can then establish such intimidating credibility that it is politically unwise to confront him. This is exactly what Obama needs to do now.

### 2nc wpa

Executive war power primacy now—the plan flips that

Eric Posner, 9/3/13, Obama Is Only Making His War Powers Mightier, www.slate.com/articles/news\_and\_politics/view\_from\_chicago/2013/09/obama\_going\_to\_congress\_on\_syria\_he\_s\_actually\_strengthening\_the\_war\_powers.html

President Obama’s surprise announcement that he will ask Congress for approval of a military attack on Syria is being hailed as a vindication of the rule of law and a revival of the central role of Congress in war-making, even by critics. But all of this is wrong. Far from breaking new legal ground, President Obama has reaffirmed the primacy of the executive in matters of war and peace. The war powers of the presidency remain as mighty as ever.

It would have been different if the president had announced that only Congress can authorize the use of military force, as dictated by the Constitution, which gives Congress alone the power to declare war. That would have been worthy of notice, a reversal of the ascendance of executive power over Congress. But the president said no such thing. He said: “I believe I have the authority to carry out this military action without specific congressional authorization.” Secretary of State John Kerry confirmed that the president “has the right to do that”—launch a military strike—“no matter what Congress does.”

Thus, the president believes that the law gives him the option to seek a congressional yes or to act on his own. He does not believe that he is bound to do the first. He has merely stated the law as countless other presidents and their lawyers have described it before him.

The president’s announcement should be understood as a political move, not a legal one. His motive is both self-serving and easy to understand, and it has been all but acknowledged by the administration. If Congress now approves the war, it must share blame with the president if what happens next in Syria goes badly. If Congress rejects the war, it must share blame with the president if Bashar al-Assad gases more Syrian children. The big problem for Obama arises if Congress says no and he decides he must go ahead anyway, and then the war goes badly. He won’t have broken the law as he understands it, but he will look bad. He would be the first president ever to ask Congress for the power to make war and then to go to war after Congress said no. (In the past, presidents who expected dissent did not ask Congress for permission.)

People who celebrate the president for humbly begging Congress for approval also apparently don’t realize that his understanding of the law—that it gives him the option to go to Congress—maximizes executive power vis-à-vis Congress. If the president were required to act alone, without Congress, then he would have to take the blame for failing to use force when he should and using force when he shouldn’t. If he were required to obtain congressional authorization, then Congress would be able to block him. But if he can have it either way, he can force Congress to share responsibility when he wants to and avoid it when he knows that it will stand in his way.

It spills over to destabilize all presidential war powers.

Heder 10 (Adam, J.D., magna cum laude , J. Reuben Clark Law School, Brigham Young University, “THE POWER TO END WAR: THE EXTENT AND LIMITS OF CONGRESSIONAL POWER,” St. Mary’s Law Journal Vol. 41 No. 3, <http://www.stmaryslawjournal.org/pdfs/Hederreadytogo.pdf>)

This constitutional silence invokes Justice Rehnquist’s oftquoted language from the landmark “political question” case, Goldwater v. Carter . 121 In Goldwater , a group of senators challenged President Carter’s termination, without Senate approval, of the United States ’ Mutual Defense Treaty with Taiwan. 122 A plurality of the Court held, 123 in an opinion authored by Justice Rehnquist, that this was a nonjusticiable political question. 124 He wrote: “In light of the absence of any constitutional provision governing the termination of a treaty, . . . the instant case in my view also ‘must surely be controlled by political standards.’” 125 Notably, Justice Rehnquist relied on the fact that there was no constitutional provision on point. Likewise, there is **no constitutional provision** on whether Congress has the legislative power to **limit, end, or otherwise redefine the scope of a war**. Though Justice Powell argues in Goldwater that the Treaty Clause and Article VI of the Constitution “add support to the view that the text of the Constitution does not unquestionably commit the power to terminate treaties to the President alone,” 126 **the same cannot be said about Congress’s legislative authority** to terminate or limit a war in a way that goes beyond its explicitly enumerated powers. There are no such similar provisions that would suggest Congress may decline to exercise its appropriation power but nonetheless legally order the President to cease all military operations. Thus, the case for deference to the political branches on this issue is even greater than it was in the Goldwater context. Finally, the Constitution does not imply any additional powers for Congress to end, limit, or redefine a war. The textual and historical evidence suggests the Framers purposefully **declined to grant Congress such powers**. And as this Article argues, granting Congress this power would be **inconsistent with the general war powers structure of the Constitution.** Such a reading of the Constitution would **unnecessarily empower Congress** and **tilt the scales heavily in its favor**. More over, it would strip the President of his Commander in Chief authority to direct the movement of troops at a time **when the Executive’s expertise is needed.** 127 And fears that the President will grow too powerful are unfounded, given the reasons noted above. 128 In short, the Constitution does not impliedly afford Congress any authority to prematurely terminate a war above what it explicitly grants. 129 Declaring these issues nonjusticiable political questions would be the most practical means of balancing the textual and historical demands, the structural demands, and the practical demands that complex modern warfare brings . Adjudicating these matters would only lead the courts to engage in impermissible line drawing — lines that would both confus e the issue and add layers to the text of the Constitution in an area where the Framers themselves declined to give such guidance.

That goes nuclear

Li 9 **(Zheyao, J.D. candidate, Georgetown University Law Center, 2009; B.A., political science and history, Yale University, 2006. This paper is the culmination of work begun in the "Constitutional Interpretation in the Legislative and Executive Branches" seminar, led by Judge Brett Kavanaugh, “War Powers for the Fourth Generation: Constitutional Interpretation in the Age of Asymmetric Warfare,” 7 Geo. J.L. & Pub. Pol'y 373 2009 WAR POWERS IN THE FOURTH GENERATION OF WARFARE)**

A. The Emergence of Non-State Actors

Even as the quantity of nation-states in the world has increased dramatically since the end of World War II, the institution of the nation-state has been in decline over the past few decades. Much of this decline is the direct result of the waning of major interstate war, which primarily resulted from the introduction of nuclear weapons.122 The proliferation of nuclear weapons, and their immense capacity for absolute destruction, has ensured that conventional wars remain limited in scope and duration. Hence, "both the size of the armed forces and the quantity of weapons at their disposal has declined quite sharply" since 1945.123 At the same time, concurrent with the decline of the nation-state in the second half of the twentieth century, non-state actors have increasingly been willing and able to use force to advance their causes. In contrast to nation-states, who adhere to the Clausewitzian distinction between the ends of policy and the means of war to achieve those ends, non-state actors do not necessarily fight as a mere means of advancing any coherent policy. Rather, they see their fight as a life-and-death struggle, wherein the ordinary terminology of war as an instrument of policy breaks down because of this blending of means and ends.124 It is the existential nature of this struggle and the disappearance of the Clausewitzian distinction between war and policy that has given rise to a new generation of warfare. The concept of fourth-generational warfare was first articulated in an influential article in the Marine Corps Gazette in 1989, which has proven highly prescient. In describing what they saw as the modem trend toward a new phase of warfighting, the authors argued that: In broad terms, fourth generation warfare seems likely to be widely dispersed and largely undefined; the distinction between war and peace will be blurred to the vanishing point. It will be nonlinear, possibly to the point of having no definable battlefields or fronts. The distinction between "civilian" and "military" may disappear. Actions will occur concurrently throughout all participants' depth, including their society as a cultural, not just a physical, entity. Major military facilities, such as airfields, fixed communications sites, and large headquarters will become rarities because of their vulnerability; the same may be true of civilian equivalents, such as seats of government, power plants, and industrial sites (including knowledge as well as manufacturing industries). 125 It is precisely this blurring of peace and war and the demise of traditionally definable battlefields that provides the impetus for the formulation of a new. theory of war powers. As evidenced by Part M, supra, the constitutional allocation of war powers, and the Framers' commitment of the war power to two co-equal branches, was not designed to cope with the current international system, one that is characterized by the persistent machinations of international terrorist organizations, the rise of multilateral alliances, the emergence of rogue states, and the potentially wide proliferation of easily deployable weapons of mass destruction, nuclear and otherwise. B. The Framers' World vs. Today's World The Framers crafted the Constitution, and the people ratified it, in a time when everyone understood that the state controlled both the raising of armies and their use. Today, however, the threat of terrorism is bringing an end to the era of the nation-state's legal monopoly on violence, and the kind of war that existed before-based on a clear division between government, armed forces, and the people-is on the decline. 126 As states are caught between their decreasing ability to fight each other due to the existence of nuclear weapons and the increasing threat from non-state actors, it is clear that the Westphalian system of nation-states that informed the Framers' allocation of war powers is no longer the order of the day. 127 As seen in Part III, supra, the rise of the modem nation-state occurred as a result of its military effectiveness and ability to defend its citizens. If nation-states such as the United States are unable to adapt to the changing circumstances of fourth-generational warfare-that is, if they are unable to adequately defend against low-intensity conflict conducted by non-state actors-"then clearly [the modem state] does not have a future in front of it.' 128 The challenge in formulating a new theory of war powers for fourthgenerational warfare that remains legally justifiable lies in the difficulty of adapting to changed circumstances while remaining faithful to the constitutional text and the original meaning. 29 To that end, it is crucial to remember that the Framers crafted the Constitution in the context of the Westphalian system of nation-states. The three centuries following the Peace of Westphalia of 1648 witnessed an international system characterized by wars, which, "through the efforts of governments, assumed a more regular, interconnected character."' 130 That period saw the rise of an independent military class and the stabilization of military institutions. Consequently, "warfare became more regular, better organized, and more attuned to the purpose of war-that is, to its political objective."' 1 3' That era is now over. Today, the stability of the long-existing Westphalian international order has been greatly eroded in recent years with the advent of international terrorist organizations, which care nothing for the traditional norms of the laws of war. This new global environment exposes the limitations inherent in the interpretational methods of originalism and textualism and necessitates the adoption of a new method of constitutional interpretation. While one must always be aware of the text of the Constitution and the original understanding of that text, that very awareness identifies the extent to which fourth-generational warfare epitomizes a phenomenon unforeseen by the Framers, a problem the constitutional resolution of which must rely on the good judgment of the present generation. 13 Now, to adapt the constitutional warmarking scheme to the new international order characterized by fourth-generational warfare, one must understand the threat it is being adapted to confront. C. The Jihadist Threat The erosion of the Westphalian and Clausewitzian model of warfare and the blurring of the distinction between the means of warfare and the ends of policy, which is one characteristic of fourth-generational warfare, apply to al-Qaeda and other adherents of jihadist ideology who view the United States as an enemy. An excellent analysis of jihadist ideology and its implications for the rest of the world are presented by Professor Mary Habeck. 133 Professor Habeck identifies the centrality of the Qur'an, specifically a particular reading of the Qur'an and hadith (traditions about the life of Muhammad), to the jihadist terrorists. 134 The jihadis believe that the scope of the Qur'an is universal, and "that their interpretation of Islam is also intended for the entire world, which must be brought to recognize this fact peacefully if possible and through violence if not."' 135 Along these lines, the jihadis view the United States and her allies as among the greatest enemies of Islam: they believe "that every element of modern Western liberalism is flawed, wrong, and evil" because the basis of liberalism is secularism. 136 The jihadis emphasize the superiority of Islam to all other religions, and they believe that "God does not want differing belief systems to coexist."' 37 For this reason, jihadist groups such as al-Qaeda "recognize that the West will not submit without a fight and believe in fact that the Christians, Jews, and liberals have united against Islam in a war that will end in the complete destruction of the unbelievers.' 138 Thus, the adherents of this jihadist ideology, be it al-Qaeda or other groups, will continue to target the United States until she is destroyed. Their ideology demands it. 139 To effectively combat terrorist groups such as al-Qaeda, it is necessary to understand not only how they think, but also how they operate. Al-Qaeda is a transnational organization capable of simultaneously managing multiple operations all over the world."14 It is both centralized and decentralized: al-Qaeda is centralized in the sense that Osama bin Laden is the unquestioned leader, but it is decentralized in that its operations are carried out locally, by distinct cells."4 AI-Qaeda benefits immensely from this arrangement because it can exercise direct control over high-probability operations, while maintaining a distance from low-probability attacks, only taking the credit for those that succeed. The local terrorist cells benefit by gaining access to al-Qaeda's "worldwide network of assets, people, and expertise."' 42 Post-September 11 events have highlighted al-Qaeda's resilience. Even as the United States and her allies fought back, inflicting heavy casualties on al-Qaeda in Afghanistan and destroying dozens of cells worldwide, "al-Qaeda's networked nature allowed it to absorb the damage and remain a threat." 14 3 This is a far cry from earlier generations of warfare, where the decimation of the enemy's military forces would generally bring an end to the conflict. D. The Need for Rapid Reaction and Expanded Presidential War Power By now it should be clear just how different this conflict against the extremist terrorists is from the type of warfare that occupied the minds of the Framers at the time of the Founding. Rather than maintaining the geographical and political isolation desired by the Framers for the new country, today's United States is an international power targeted by individuals and groups that will not rest until seeing her demise. The Global War on Terrorism is not truly a war within the Framers' eighteenth-century conception of the term, and the normal constitutional provisions regulating the division of war powers between Congress and the President do not apply. Instead, this "war" is a struggle for survival and dominance against forces that threaten to destroy the United States and her allies, and the fourth-generational nature of the conflict, highlighted by an indiscernible distinction between wartime and peacetime, necessitates an evolution of America's traditional constitutional warmaking scheme. As first illustrated by the military strategist Colonel John Boyd, constitutional decision-making in the realm of war powers in the fourth generation should consider the implications of the OODA Loop: Observe, Orient, Decide, and Act. 44 In the era of fourth-generational warfare, quick reactions, proceeding through the OODA Loop rapidly, and disrupting the enemy's OODA loop are the keys to victory. "In order to win," Colonel Boyd suggested, "we should operate at a faster tempo or rhythm than our adversaries." 145

In the words of Professor Creveld, "[b]oth organizationally and in terms of the equipment at their disposal, the armed forces of the world will have to adjust themselves to this situation by changing their doctrine, doing away with much of their heavy equipment and becoming more like police."1 46 Unfortunately, the existing constitutional understanding, which diffuses war power between two branches of government, necessarily (by the Framers' design) slows down decision- making. In circumstances where war is undesirable (which is, admittedly, most of the time, especially against other nation-states), the deliberativeness of the existing decision-making process is a positive attribute. In America's current situation, however, in the midst of the conflict with al-Qaeda and other international terrorist organizations, the existing process of constitutional decision-making in warfare may prove a fatal hindrance to achieving the initiative necessary for victory. As a slow-acting, deliberative body, Congress does not have the ability to adequately deal with fast-emerging situations in fourth-generational warfare. Thus, in order to combat transnational threats such as al-Qaeda, the executive branch must have the ability to operate by taking offensive military action even without congressional authorization, because only the executive branch is capable of the swift decision-making and action necessary to prevail in fourth-generational conflicts against fourthgenerational opponents.

#### Congress restrictions– only result is ham-stringing executive action

Sorcher 13

[Sara, “A narrow majority says Chuck Hagel will be a good Defense secretary”, May 30, <http://www.nationaljournal.com/insiders-polls/nationalsecurity/national-security-insiders-it-s-possible-for-congress-to-oversee-drone-program-20130311>, CMR]

Some Insiders, even as they stressed oversight is possible, cast doubt on the extent to which Congress should be involved. "Congress's oversight should be periodic reviews — not daily operational reviews," one Insider said. Another added: "Congress cannot and should not micromanage."¶ Others cautioned that lawmakers would need to assert themselves on this issue to achieve oversight responsibilities. It is possible for Congress to keep the executive branch in check, an Insider said, only if members “are willing to use their constitutional power of the purse to enforce their oversight of defense and intelligence programs.”¶ Another 39 percent said proper oversight from Congress is not possible. "Congressional oversight is usually an oxymoron. The institution lacks the expertise and accountability to objectively evaluate these issues, and they're divided along partisan lines," one Insider said. "We need an external blue ribbon commission to take a look at what can/cannot be said/done."¶ Congress is a political animal, another Insider added. "Regrettably, details on drone strikes given to the Senate will inevitably be leaked and made public. This is one of the reasons the framers of the Constitution made the president the commander in chief of the armed forces."

### Allied Coop 2NC

#### We will cooperate over terrorism regardless of relations

**Coessens 4** Page 1 V OL. III, N O. 1 , M ARCH 04 15 At Least in Fighting Terrorism, Transatlantic Cooperation Is Working By Philippe Coessens Philippe Coessens is the Head of Political, Academic, Justice, and Home Affairs at the Delegation of the European Commission in Washington, D.C. From 1998 to 2003, he was Head of Unit “European Correspondent” in the External Relations Directorate General. Before joining the Commission in 1991, he served in the Belgian Ministry of Foreign Affairs. This article first appeared in the Fall 2003 issue of European Affairs, a publication of the European Institute.

While disagreements between the United States and the European Union on a range of global issues have recently attracted attention, cooperation between the two sides of the Atlantic on counter-terrorism has been relatively successful. There can be no doubt that this is an area in which the European Union and the United States share common goals. It is clear that terrorism and associated problems such as drug traffick- ing, money laundering, illegal immigration, and organized crime are very much global issues. So the European Union’s anti-terrorism efforts can be said to have had a positive impact on the world in general, and on the United States in par- ticular. This applies not only to the Union’s internal achievements but also to its efforts to strengthen cooperation with other countries and its participation in multilateral forums such as the United Nations and the Group of Eight leading industrial nations. The European Union set to work on a new anti-terrorism initiative immediately after the terrorist attacks of September 11, 2001, convening a spe- cial meeting of the European Council barely a week later and coming up with a comprehensive action plan to support the United States in the face of the terror- ist attacks. The plan contained a series of actions aimed at enhancing police and judicial cooperation, developing international legal instruments, stepping up efforts to cut off terrorist financing worldwide (by immediately freezing assets of a substantial number of terrorist organizations), strengthening air security, and contributing to the systematic evaluation of relations with third countries in the light of their position on terrorism. Since then, the European Union and the United States have concluded a series of important bilateral agreements on police and judicial cooperation (notably agreements between Europol and the United States reinforcing the capability of law enforcement authorities to exchange data), as well as on mutu- al legal assistance and extradition. These, once fully in force, will make it eas- ier to bring to justice terrorists and other serious criminals in the jurisdictions where they are wanted. Inside the European Union, the focus has been on judicial cooperation between member states, increased cooperation between police and intelligence services, border control, and measures to counter the financing of terrorism. Key achievements in these areas include agreement on a common European arrest warrant and an EU framework decision on combating terrorism, which includes a definition of terrorist offenses; a more closely coordinated scale of penalties; a common EU list of worldwide terrorist organizations; and mutual recognition of orders freezing the property of terrorists or securing evidence against them. Plans are also under way to develop more secure visas and travel documents. None of these agreements was easy to achieve. They are, however, already having real operational effects by improving the legal framework for fighting crime and terrorism throughout the European Union. The combination of these new instruments is effectively denying safe haven to those who finance, plan, support, or commit terrorist acts. In addition, the European Union has approved revised recommendations by the Financial Action Task Force aimed at stemming the flow of funds to terrorists and further cracking down on money laundering. The Union has also been developing a multi-faceted and more coordi- nated approach aimed at incorporating the fight against terrorism into all aspects of its foreign policy. For example, it is conducting threat analyses of various countries and regions (Central and Latin America, South and Southeast Asia) that are leading to concrete policy recommendations. In line with these recommendations, the European Union is launching pilot projects to help three priority countries (Indonesia, Pakistan, and the Philippines) curb terrorist financing, strengthen law enforcement, and develop more effective judicial systems. These

countries and actions were chosen in consultation with the UN Counter-Terrorism Committee so as to assist their governments to implement UN Security Council Resolution 1373 of September 2001, which called for wide-ranging measures to fight terrorism. A second important step has been the introduction of anti-crime and anti-terrorism clauses in EU trade and cooperation agreements. Such clauses require the parties to exchange information on terrorist groups and their support organizations, with a view to preventing or punishing acts of terrorism. These provisions are being gradually included in agreements with Chile, Algeria, Egypt, and Lebanon, and currently figure in difficult negotiations for agree- ments with Syria, Iran, and the Gulf Cooperation Council. The Group of Eight (G8), which includes four EU member states (Britain, France, Germany, and Italy), along with representatives of the EU institutions, has also been quick to work toward implementing UN Security Council Resolution 1373. The G8 immediately recognized the need to provide technical assistance to other countries to help them to build the necessary capa- bilities to fulfill their obligations under the resolution. At its latest summit meeting, in Evian in June 2003, the G8 adopted an action plan that also concentrates on outreach activities and capacity building. The plan focuses on fighting terrorism in particular regions, such as South East and Central Asia, and in certain specific fields, such as reinforcing border secu- rity and equipping institutions to tackle money laundering and the financing of terrorist organizations. More generally, the U.S.-EU political dialogue on the entire issue of terrorism has deepened. Justice, home affairs, and counter-terrorism officials now meet regularly, and cooperation has substantially improved since 9/11. A great deal of work is also being done on both sides of the Atlantic on measures to counter the proliferation of weapons of mass destruction and their acquisition by terrorist groups, and on how to deal with so-called rogue states. The European Union also adopted an important policy document that lays out guiding principles and a concrete plan for further counter-terrorist action at a summit meeting in Thessaloniki in June. This plan sets the course for future action so that momentum in the fight against terror will not be lost. The verdict on all these efforts to improve transatlantic cooperation in the fight against terrorism must at this point be “so far, so good.” Since 9/11, cooperation has substantially improved. Intelligence has been flowing across the Atlantic in unprecedented volumes, a number of terrorist cells have been disrupted, and many suspected terrorists are being prosecuted in different European countries. The European Union and the United States share the same values and objectives. We are now also sharing some of the same tools available to curb terrorist activity. After all the discussions we have had about different approach- es to multilateralism on either side of the Atlantic, it is striking that in this field both sides are stressing the importance of the work of the United Nations and the Counter-Terrorism Committee. That shows that – on terrorism, at least – the European Union and the United States see eye-to-eye as actors in the internastional community.

### Defense: WMD Terror 2NC

#### --And he’s most qualified

Harper 12 (Jim, director of information policy studies @ Cato, “Mueller Right; Terror Experts Wrong”, 1-11, <http://www.cato-at-liberty.org/mueller-right-terror-experts-wrong/>, CMR)

John Mueller was right and everyone else was wrong. (Well, not everyone else…)

That’s Cato senior fellow John Mueller. He noted on the National Interest blog last week that 79 per cent of top terrorism experts queried in 2006 thought it was likely or certain that there would be another major terrorist attack in the United States by the end of 2011. They got it wrong.

When the survey came out, it touted these experts as the “very people who have run America’s national-security apparatus over the past half century.” Mueller lampoons them thus:

The Very People’s 79 percent error rate is especially impressive because, although there had been quite a bit of terrorist activity in Iraq and elsewhere during the four-and-a-half years between 9/11 and when the survey was conducted, none of these attacks even remotely approached the destruction of the one on September 11. Nor, for that matter, had any terrorist attack during the four-and-a-half millennia previous to that date. In addition, although terrorist plots have been rolled up within the United States, none of the plotters threatened to wreak destruction on anything like the scale of 9/11, except perhaps in a few moments of movieland-fantasy musings.

Mueller was one of few suggesting in 2006—and well before—that 9/11 might be more of an aberration than a harbinger. Mueller’s studied correctness so far is not proof of what the future holds, of course. If you want to, it is certainly possible to cling to the threat of terrorism and the metastasis of policies that purport to address your fears. Part of terrorism’s design is its operation on fear to produce cognitive errors like probability neglect, for example. But thanks to Mueller, terrorism is holding fewer and fewer people in thrall. It is a serious, but manageable security threat. Those still transfixed by terrorism may add another fear to their long list: They may be mocked by the man who knows the subject matter better.

**--Expert reports are wrong**

Mearsheimer 11 John J. is the R. Wendell Harrison Distinguished Service Professor of Political Science at the University of Chicago, “Imperial By Design” Jan/Feb The National Interest http://nationalinterest.org/print/article/imperial-by-design-4576

Finally, the ability of terrorists to strike the American homeland has been blown out of all proportion. In the nine years since 9/11, government officials and terrorist experts have issued countless warnings that another major attack on American soil is probable—even imminent. But this is simply not the case.3 The only attempts we have seen are a few failed solo attacks by individuals with links to al-Qaeda like the “shoe bomber,” who attempted to blow up an American Airlines flight from Paris to Miami in December 2001, and the “underwear bomber,” who tried to blow up a Northwest Airlines flight from Amsterdam to Detroit in December 2009. So, we do have a terrorism problem, but it is hardly an existential threat**.** In fact, it is a minor threat. Perhaps the scope of the challenge is best captured by Ohio State political scientist John Mueller’s telling comment that “the number of Americans killed by international terrorism since the late 1960s . . . is about the same as the number killed over the same period by lightning, or by accident-causing deer, or by severe allergic reactions to peanuts.”

### NO RETAL

**No retaliation**

* Delay in identification – bad forensics – too many countries – lack of data – turf battles

**Erwin and Manguson ‘9**

(Sandra and Stew, National Defense “7 Deadly myths about weapons of terror” 6-1, 94:667 lexis)

4 Myth: If the U.S. Were the Victim of a Nuclear Attack, It Would Immediately Retaliate \* Under the nightmare scenario of a nuclear bomb exploding in a U.S. city, the implied assumption is that the nation's leaders would immediately be able to fire back. That would be the case under the Cold War rules of nuclear retaliation, but **the situation is far more complicated when nuclear attacks are perpetrated by** non-state actors such as **terrorist** organizations. Unless the weapon is delivered by a missile, **immediate retaliation is not realistic,** experts said. **It could take** weeks or **months to figure out where the nuclear materials came from** or how the explosive device was built. No state or terrorist group would choose to launch a nuclear weapon by missile because we would know the origin, said Evan Montgomery, of the Center for Strategic and Budgetary Assessments. The more likely means to execute a nuclear attack would be to smuggle the materials and build the bomb on U.S. soil, or steal a bomb and somehow manage to bring it into the United States. Either way, **U.S. nuclear experts may not be able to quickly determine the origin of the weapon once it's detonated. Forensics can take** weeks or **months**, said Charles Blair, director of the Center for Terrorism and Intelligence Studies and co-author of a recently published book titled, "Jihadists and Weapons of Mass Destruction." "**None of the systems we have now are** very **quick**," he said. "Government officials and the public would have to be willing to wait a while before we retaliate." Nuclear forensics usually is based on fallout and debris. Within hours, U.S. authorities could determine that it was a nuclear explosion. It would take up to a couple of days to determine if there was uranium, plutonium or a mix of the two in the weapon. It's known that eight nations have plutonium bombs, and six others have enough plutonium to build a bomb. **If there were a nuclear explosion of a plutonium based weapon, it could be** traced to **one of 14 countries. With uranium-based weapons**, it's more complicated. **There are 40 countries** that have enough uranium to build at least one bomb. That would take longer to track, said Blair. "You can take debris samples and compare them against known tests. You can within several weeks trace the design to known designs." Nuclear forensics would be far easier if there were a single global database that listed all known methods of creating uranium or plutonium, and catalogued the weapon designs, Blair said. But such a database is unlikely to ever materialize. **States prefer to not reveal information about the fissile materials they use or their methods for constructing a weapon. The world's largest nuclear powers**, the United States and Russia, both **go to great lengths to protect their top secret data** on the isotopic composition of their weapons grade plutonium. Even for the United States it's been a challenge to keep track of its own plutonium. Ola Dahlman, a nuclear physicist and advisor to the Swedish Ministry of Foreign Affairs, said there is one cubic meter of plutonium that the United States cannot account for. "Nobody is really concerned," he told National Defense. "But it shows how hard it is to keep track of things." Because plutonium is not a naturally occurring substance, it can only be made in reactors. Identifying the origin in this case would be somewhat easier because reactors have identifiable signatures. With uranium weapons the situation gets more complex because experts would have to figure out how it was enriched. "It doesn't leave many maces," said Blair. Considering how many nuclear weapons still exist on the planet, it may be shocking to many that **nuclear forensics is a vanishing science** in the United States, **The nation** currently **has only 40** to 45 **scientists** who are nuclear forensics experts working at national laboratories, said Blair. "**Most are pretty old and will be dying soon."** Only seven universities in the United States offer graduate degrees in radiochemistry, which is one of the primary drivers of nuclear forensics, says Blair. Of those seven programs, four are staffed by just one faculty member. **"The U.S. doesn't** really **have the brainpower** right now **to** really **attack this**," said Blair. It's also worth noting that **no single** U.S. government **agency is entirely responsible for nuclear attribution.** The Department of Homeland Security's Domestic Nuclear Detection Office comes the closest. It operates a nuclear forensic center that coordinates the work of seven agencies. But the lines of responsibility are blurred, Blair said. If an attack occurred, the FBI would probably step in right away to investigate but the national labs would want to preserve the evidence untouched so they could collect debris, Blair said. There would be **turf battles within the government**, which **would complicate the forensics work.**

### Accidents

#### Communication

#### Ford ‘8 [Dr. Christopher A. Ford, Senior Fellow and Director of the Center for Technology and Global Security at the Hudson Institute and previously served as U.S. Special Representative for Nuclear Nonproliferation, October 7, 2008, “Dilemmas of Nuclear Force “De-Alerting”” Presented to the International Peace Institute Policy Forum

http://www.hudson.org/files/documents/De-Alerting%20FINAL2%20(2).pdf]

The United States and Russia have also worked for years to improve communications, reduce misunderstandings, and develop ways to lessen the risk of inadvertent launch or other errors in their strategic relationship. Most readers will be familiar with the Direct Communications Link (the famous “hotline”) established in 1963.27 In 1971, however, Washington and Moscow also signed an agreement establishing basic procedures to increase mutual consultation and notification regarding relatively innocent but potentially alarming activities – thereby reducing the risk of accidental nuclear war.28 Since 1987, the two parties have also operated securely-linked 24-hour communications centers – the U.S. node of which is the Nuclear Risk Reduction Center (NRRC) operated by the State Department29 – which specialize in transmitting such things as the notifications required under arms control treaties. Pursuant to a 1988 memorandum, NRRC transmittals, which go directly to the Russian Ministry of Defense, include ballistic missile launch notifications. This link also proved useful to help prevent strategic tensions after the terrorist assault of September 11, 2001 – at which point U.S. officials used the NRRC to reassure their Russian counterparts that the sudden American security alert in the wake of the Manhattan and Pentagon attacks was not in any way an indication of impending U.S. belligerence vis-à-vis Russia.

### Modeling: Ext1A—US Not Key 2NC

#### All their “precedent” evidence relies on the assertion that there’s a causal link between U.S. drone doctrine and other’ countries choices---that’s not true---no tangible evidence

Kenneth Anderson 11, Professor of International Law at American University, 10/9/11, “What Kind of Drones Arms Race Is Coming?,” <http://www.volokh.com/2011/10/09/what-kind-of-drones-arms-race-is-coming/#more-51516>

New York Times national security correspondent Scott Shane has an opinion piece in today’s Sunday Times predicting an “arms race” in military drones. The methodology essentially looks at the US as the leader, followed by Israel – countries that have built, deployed and used drones in both surveillance and as weapons platforms. It then looks at the list of other countries that are following fast in US footsteps to both build and deploy, as well as purchase or sell the technology – noting, correctly, that the list is a long one, starting with China. The predicament is put this way:

Eventually, the United States will face a military adversary or terrorist group armed with drones, military analysts say. But what the short-run hazard experts foresee is not an attack on the United States, which faces no enemies with significant combat drone capabilities, but the political and legal challenges posed when another country follows the American example. The Bush administration, and even more aggressively the Obama administration, embraced an extraordinary principle: that the United States can send this robotic weapon over borders to kill perceived enemies, even American citizens, who are viewed as a threat.

“Is this the world we want to live in?” asks Micah Zenko, a fellow at the Council on Foreign Relations. “Because we’re creating it.”

By asserting that “we’re” creating it, this is a claim that there is an arms race among states over military drones, and that it is a consequence of the US creating the technology and deploying it – and then, beyond the technology, changing the normative legal and moral rules in the international community about using it across borders. In effect, the combination of those two, technological and normative, forces other countries in strategic competition with the US to follow suit. (The other unstated premise underlying the whole opinion piece is a studiously neutral moral relativism signaled by that otherwise unexamined phrase “perceived enemies.” Does it matter if they are not merely our “perceived” but are our actual enemies? Irrespective of what one might be entitled to do to them, is it so very difficult to conclude, even in the New York Times, that Anwar al-Awlaki was, in objective terms, our enemy?)

It sounds like it must be true. But is it? There are a number of reasons to doubt that moves by other countries are an arms race in the sense that the US “created” it or could have stopped it, or that something different would have happened had the US not pursued the technology or not used it in the ways it has against non-state terrorist actors. Here are a couple of quick reasons why I don’t find this thesis very persuasive, and what I think the real “arms race” surrounding drones will be.

Unmanned aerial vehicles have clearly got a big push from the US military in the way of research, development, and deployment. But the reality today is that the technology will transform civil aviation, in many of the same ways and for the same reasons that another robotic technology, driverless cars (which Google is busily plying up and down the streets of San Francisco, but which started as a DARPA project). UAVs will eventually move into many roles in ordinary aviation, because it is cheaper, relatively safer, more reliable – and it will eventually include cargo planes, crop dusting, border patrol, forest fire patrols, and many other tasks. There is a reason for this – the avionics involved are simply not so complicated as to be beyond the abilities of many, many states. Military applications will carry drones many different directions, from next-generation unmanned fighter aircraft able to operate against other craft at much higher G stresses to tiny surveillance drones. But the flying-around technology for aircraft that are generally sizes flown today is not that difficult, and any substantial state that feels like developing them will be able to do so.

But the point is that this was happening anyway, and the technology was already available. The US might have been first, but it hasn’t sparked an arms race in any sense that absent the US push, no one would have done this. That’s just a fantasy reading of where the technology in general aviation was already going; Zenko’s ‘original sin’ attribution of this to the US opening Pandora’s box is not a credible understanding of the development and applications of the technology. Had the US not moved on this, the result would have been a US playing catch-up to someone else. For that matter, the off-the-shelf technology for small, hobbyist UAVs is simple enough and available enough that terrorists will eventually try to do their own amateur version, putting some kind of bomb on it.

Moving on from the avionics, weaponizing the craft is also not difficult. The US stuck an anti-tank missile on a Predator; this is also not rocket science. Many states can build drones, many states can operate them, and crudely weaponizing them is also not rocket science. The US didn’t spark an arms race; this would occur to any state with a drone. To the extent that there is real development here, it lies in the development of specialized weapons that enable vastly more discriminating targeting. The details are sketchy, but there are indications from DangerRoom and other observers (including some comments from military officials off the record) that US military budgets include amounts for much smaller missiles designed not as anti-tank weapons, but to penetrate and kill persons inside a car without blowing it to bits, for example. This is genuinely harder to do – but still not all that difficult for a major state, whether leading NATO states, China, Russia, or India. The question is whether it would be a bad thing to have states competing to come up with weapons technologies that are … more discriminating.

#### The idea that China wouldn’t have realized it could use drones to carry out strikes internationally absent the U.S. doing so, is stupid

Kenneth Anderson 11, Professor of International Law at American University, 10/9/11, “What Kind of Drones Arms Race Is Coming?,” <http://www.volokh.com/2011/10/09/what-kind-of-drones-arms-race-is-coming/#more-51516>

It is indeed likely that the future will see more instances of uses of force at a much smaller, often less attributable, more discrete level than conventional war. Those uses will be most easily undertaken against non-state actors, rather than states, though the difference is likely to erode. The idea that it would not have occurred to China or Russia that drones could be used to target non-state actors across borders in safe havens, or that they would not do so because the United States had not done so is far-fetched. That is so not least because the United States has long held that it, or other states threatened by terrorist non-state actors in safe havens across sovereign borders, can be targeted if the sovereign is unable or unwilling to deal with them. There’s nothing new in this as a US view of international law; it goes back decades, and the US has not thought it some special rule benefiting the US alone. So the idea that the US has somehow developed this technology and then changed the rules regarding cross-border attack on terrorists is just wrong; the US has believed this for a long time and thinks it is legally and morally right.

### Modeling: Ext2—No Arms Race 2NC

#### No arms race – our Singh evidence says states won’t pursue drones due to their narrow applications, enormous diplomatic and political costs, and credible state defenses

#### AND, the costs outweigh the benefits – reject aff alarmism

**Singh 12** – researcher at the Center for a New American Security (Joseph, “Betting Against a Drone Arms Race”, 8/13, <http://nation.time.com/2012/08/13/betting-against-a-drone-arms-race/#ixzz2TxEkUI37>, CMR)

In short, the doomsday drone scenario Ignatieff and Sharkey predict results from an excessive focus on rapidly-evolving military technology.¶ Instead, we must return to what we know about state behavior in an anarchistic international order. Nations will confront the same principles of deterrence, for example, when deciding to launch a targeted killing operation regardless of whether they conduct it through a drone or a covert amphibious assault team.¶ Drones may make waging war more domestically palatable, but they don’t change the very serious risks of retaliation for an attacking state. Any state otherwise deterred from using force abroad will not significantly increase its power projection on account of acquiring drones.¶ What’s more, the very states whose use of drones could threaten U.S. security – countries like China – are not democratic, which means that the possible political ramifications of the low risk of casualties resulting from drone use are irrelevant. For all their military benefits, putting drones into play requires an ability to meet the political and security risks associated with their use.¶ Despite these realities, there remain a host of defensible arguments one could employ to discredit the Obama drone strategy. The legal justification for targeted killings in areas not internationally recognized as war zones is uncertain at best.¶ Further, the short-term gains yielded by targeted killing operations in Pakistan, Somalia and Yemen, while debilitating to Al Qaeda leadership in the short-term, may serve to destroy already tenacious bilateral relations in the region and radicalize local populations.¶ Yet, the past decade’s experience with drones bears no evidence of impending instability in the global strategic landscape. Conflict may not be any less likely in the era of drones, but the nature of 21st Century warfare remains fundamentally unaltered despite their arrival in large numbers.

### SoPo/Cred: Realism 2NC

#### Realist theory disproves the advantage- institutions fail

JM Greico- professor of political science at Duke University, 1993 “Neorealism and Neoliberalism: The Contemporary Debate”¶ edited by David Allen Baldwin, chapter entitled “Anarchy and the Limits of Cooperation: A Realist Critique of the Newest Liberal Institutionalism” p. 116-118

Realism has dominated international relations theory at least since World War II.' For realists, international anarchy fosters competition and conflict among states and inhibits their willingness to cooperate even when they share common interests. Realist theory also argues that international institutions are unable to mitigate anarchy's constraining effects on interstate cooperation. Realism, then, presents a pessimistic analysis of the prospects for international cooperation and of the capabilities of international institutions.2¶ The major challenger to realism has been what I shall call liberal institutionalism. Prior to the current decade, it appeared in three successive presentations—functionalist integration theory in the 1940s and early 1950s, neofunctionalist regional integration theory in the 1950s and 1960s, and interdependence theory in the 1970s.3 All three versions rejected realism's propositions about states and its gloomy understanding of world politics. Most significantly, they argued that international institutions can help states cooperate. Thus, compared to realism, these earlier versions of liberal institutionalism offered a more hopeful prognosis for international cooperation and a more optimistic assessment of the capacity of institutions to help states achieve it.¶ International tensions and conflicts during the 1970s undermined liberal institutionalism and reconfirmed realism in large measure. Yet that difficult decade did not witness a collapse of the international system, and in the light of continuing modest levels of interstate cooperation, a new liberal institutionalist challenge to realism came forward during the early 1980s (Stein 1983:115-40; Axelrod 1984; Keohane 1984; Lipson 1984; Axelrod and Keohane 1985). What is distinctive about this newest liberal institutionalism is its claim that it accepts a number of core realist propositions, including, apparently, the realist argument that anarchy impedes the achievement of international cooperation. However, the core liberal arguments—that realism overemphasizes conflict and underestimates the capacities of international institutions to promote cooperation—remain firmly intact. The new liberal institutionalists basically argue that even if the realists are correct in believing that anarchy constrains the willingness of states to cooperate, states nevertheless can work together and can do so especially with the assistance of international institutions.¶ This point is crucial for students of international relations. If neo-liberal institutionalists are correct, then they have dealt realism a major blow while providing ine intellectual justification for treating their own approach, and the tradition from which it emerges, as the most effective for understanding world politics.¶ This essay's principal argument is that, in fact, neoliberal institutionalism misconstrues the realist analysis of international anarchy and therefore it misunderstands the realist analysis of the impact of anarchy on the preferences and actions of states. Indeed, the new liberal institutionalism fails to address a major constraint on the willingness of states to cooperate which is generated by international anarchy and which is identified by realism. As a result, the new theory's optimism about international cooperation is likely to be proven wrong.¶ Neoliberalism's claims about cooperation are based on its belief that states are atomistic actors. It argues that states seek to maximize their individual absolute gains and are indifferent to the gains achieved by others. Cheating, the new theory suggests, is the greatest impediment to cooperation among rationally egoistic states, but international institutions, the new theory also suggests, can help states overcome this barrier to joint action. Realists understand that states seek absolute gains and worry about compliance. However, realists¶ find that states are positional, not atomistic, in character, and therefore realists argue that, in addition to concerns about cheating, states in cooperative arrangements also worry that their partners might gain more from cooperation that they do. For realists, a state will focus both on its absolute and relative gains from cooperation, and a state that is satisfied with a partner's compliance in a joint arrangement might nevertheless exit from it because the partner is achieving relatively greater gains. Realism, then, finds that there are at least two major barriers to international cooperation: state concerns about cheating and state concerns about relative achievements of gains. Neoliberal institutionalism pays attention exclusively to the former and is unable to identify, analyze, or account for the latter.¶ Realism's identification of the relative gains problem for cooperation is based on its insight that states in anarchy fear for their survival as independent actors. According to realists, states worry that today's friend may be tomorrow's enemy in war, and fear that achievements of joint gains that advantage a friend in the present might produce a more dangerous potential foe in the future. As a result, states must give serious attention to the gains of partners. Neoliber-als fail to consider the threat of war arising from international anarchy, and this allows them to ignore the matter of relative gains and to assume that states only desire absolute gains. Yet in doing so, they fail to identify a major source of state inhibitions about international cooperation.¶ In sum, I suggest that realism, its emphasis on conflict and competition notwithstanding, offers a more complete understanding of the problem of international cooperation than does its latest liberal challenger. If that is true, then realism is still the most powerful theory of international politics.

### AT: China (Senkaku) 2NC

#### TWO, No war—economic and political constraints

**Park 12** International Affairs Review By Sungtae “Jacky” Park Contributor Sungtae Park is a M.A. Security Policy Studies student at the George Washington University’s Elliott School of International Affairs. He has also written articles for CSIS (Center for Strategic and International Studies) and Brandeis International Journal.http://www.iar-gwu.org/node/434

There is a growing fear among many Asia observers and pundits that the on-going territorial dispute could become a spark for a destructive, general war in Asia. The reality, however, is that there are several economic, political, as well as logistical (in military terms) constraints that make a war highly unlikely. In economic terms, trade between the two countries is at historic high levels. A war would have devastating human as well as material costs. While economic interests and interdependence do not necessarily lead to peace, as history has proven with World War I, the current situation is different. Both political and military leaders before World War I believed that a war would be quick with small costs. Each side also believed that it would win. Leaders of both China and Japan today understand that the costs of a war would be astronomical and understand that victory is no certainty. The CCP (the Chinese Communist Party) has a strong interest in making sure that the conflict does not turn into a war. One of the key pillars of the CCP’s legitimacy is economic growth. The Chinese economy is already slowing. A war would certainly put a halt to the so-called Chinese miracle. In the beginning of the dispute this year, Beijing actually discreetly encouraged protests in hope that they would divert the Chinese people’s attention away from China’s slowing economic growth and deteriorating socioeconomic conditions. As of now, however, Beijing is attempting to restrain the protests, fearing that they could pressure the government into an actual war. Despite constitutional constraints, Japan's military has continued to evolve over the past half century, but the pacifist sentiment among the Japanese public still remains very strong. The Japanese who are inflaming the tension between the two countries do not represent the majority. At the official level, Japan’s decision to purchase the disputed islands is in fact a way for the Japanese government to be able to exercise more control and restraint over the entire situation by taking the islands out of private hands.

### Central Asia 2NC

#### Great powers don’t want to antagonize each other over it—checks outside escalation

**Kucera 10**—regular contributor to U.S. News and World Report, Slate and EurasiaNet. (Joshua, Central Asia Security Vacuum, 16 June 2010, <http://the-diplomat.com/2010/06/16/central-asia%E2%80%99s-security-vacuum/>)

Note – CSTO = Collective Security Treaty Organization

Yet when brutal violence broke out in one of the CSTO member countries, Kyrgyzstan, just days later, the group didn’trespond rapidly at all. Kyrgyzstan’s interim president, RozaOtunbayeva, even asked Russia to intervene, but Russian President Dmitry Medvedev responded that Russians would only do so under the auspices of the CSTO. And nearly a week after the start of the violence—which some estimate has killed more than 1000 people and threatens to tear the country apart—the CSTO has still not gotten involved, but says it is ‘considering’ intervening. ‘We did not rule out the use of any means which are in the CSTO’s potential, and the use of which is possible regardless of the development of the situation in Kyrgyzstan,’ Russian National Security Chief Nikolai Patrushev said Monday. On June 10-11, another regional security group, the Shanghai Cooperation Organisation, held its annual summit in Tashkent, Uzbekistan. The SCO has similar collective security aims as the CSTO, and includes Russia, China and most of the Central Asian republics, including Kyrgyzstan. But despite the violence that was going on even as the SCO countries’ presidents met in Uzbekistan, that group also didn’t involve itself in the conflict, and made only a tepid statement calling for calm. Civil society groups in Kyrgyzstan and Uzbekistan (much of the violence is directed toward ethnic Uzbeks in Kyrgyzstan, and the centre of the violence, the city of Osh, is right on the border of Uzbekistan) called on the United Nations to intervene. And Otunbayeva said she didn’t ask the US for help. Even Uzbekistan, which many in Kyrgyzstan and elsewhere feared might try to intervene on behalf of ethnic Uzbeks, has instead opted to stay out of the fray, and issued a statement blaming outsiders for ‘provoking’ the brutal violence. The violence has exposed a security vacuum in Central Asia that no one appears interested in filling. In spite of all of the armchair geopoliticians who have declared that a ‘newGreat Game’ is on in Central Asia, the major powers seemdistinctly reluctant to expand their spheres of influence there. Why? It’s possible that, amid a tentative US-Russia rapprochement and an apparent pro-Western turn in Russian foreign policy, neither side wants to antagonize the other. The United States, obviously, also is overextended in Iraq and Afghanistan and has little interest in getting in the middle of an ethnic conflict in Kyrgyzstan. It’s possible that the CSTO Rapid Reaction Force isn’t ready for a serious intervention as would be required in Kyrgyzstan. (It’s also possible that Russia’s reluctance is merely a demure gesture to ensure that they don’t seem too eager to get involved; only time will tell.)

#### No central Asia war- Powers will cooperate - contains the impact - empirically proven

Collins and Wohlforth 4 (Kathleen, Professor of Political Science – Notre Dame and William, Professor of Government – Dartmouth, “Defying ‘Great Game’ Expectations”, Strategic Asia 2003-4: Fragility and Crisis, p. 312-313)

Conclusion The popular great game lens for analyzing Central Asia fails to capture the declared interests of the great powers as well as the best reading of their objective interests in security and economic growth. Perhaps more importantly, it fails to explain their actual behavior on the ground, as well the specific reactions of the Central Asian states themselves. Naturally, there are competitive elements in great power relations. Each country’s policymaking community has slightly different preferences for tackling the challenges presented in the region, and the more influence they have the more able they are to shape events in concordance with those preferences. But these clashing preferences concern the means to serve ends that all the great powers share.

To be sure, policy-makers in each capital would prefer that their own national firms or their own government’s budget be the beneficiaries of any economic rents that emerge from the exploitation and transshipment of the region’s natural resources. But the scale of these rents is marginal even for Russia’s oil-fueled budget. And for taxable profits to be created, the projects must make sense economically—something that is determined more by markets and firms than governments. Does it matter? The great game is an arresting metaphor that serves to draw people’s attention to an oft-neglected region. The problem is **the** great-game lens can distort realities on the ground, and therefore bias analysis and policy. For when great powers are locked in a competitive fight, the issues at hand matter less than their implication for the relative power of contending states. Power itself becomes the issue—one that tends to be nonnegotiable. Viewing an essential positive-sum relationship through zero sum conceptual lenses will result in missed opportunities for cooperation that leaves all players—not least the people who live in the region—poorer and more insecure. While cautious realism must remain the watchword concerning an impoverished and potentially unstable region comprised of fragile and authoritarian states, our analysis yields at least conditional and relative optimism. Given the confluence of their chief strategic interests, the major powers are in a better position to serve as a stabilizing force than analogies to the Great Game or the Cold War would suggest. It is important to stress that the region’s response to the profoundly destabilizing shock of coordinated terror attacks was increased cooperation between local governments and China and Russia, and—multipolar rhetoric notwithstanding—between both of them and the United States. If this trend is nurtured and if the initial signals about potential SCO-CSTO-NATO cooperation are pursued, another destabilizing shock might generate more rather than less cooperation among the major powers. Uzbekistan, Kyrgyzstan, Tajikistan, and Kazakhstan [The Stans] are clearly on a trajectory that portends longer-term cooperation with each of the great powers. As military and economic security interests become more entwined, there are sound reasons to conclude that “great game” politics will not shape Central Asia’s future in the same competitive and destabilizing way as they have controlled its past. To the contrary, mutual interests in Central Asia may reinforce the broader positive developments in the great powers’ relations that have taken place since September 11, as well as reinforce regional and domestic stability in Central Asia.

## 1NR

### Debt: Overview 2NC

#### B. Timeframe ---- collapse by November if we don’t raise the debt ceiling

Sahadi 9/10 Jeanne, “Debt ceiling 'X date' could hit Oct. 18”, <http://money.cnn.com/2013/09/10/news/economy/debt-ceiling-bills-coming-due/index.html>, MCR

A new analysis by a think tank shows that **Washington's drop-dead deadline for the debt ceiling could hit as soon as Oct. 18**.¶ Estimating exactly when the Treasury Department will be unable to pay all the bills coming due if Congress fails to raise the nation's legal borrowing limit is notoriously difficult.¶ That's why, in an analysis released Tuesday, the Bipartisan Policy Center put the "X date" between Oct. 18 and Nov. 5.¶ Treasury Secretary Jack Lew has warned that **by mid-October the agency will have only $50 billion in cash on top of incoming revenue.**¶That may sound like a lot. But, as the Bipartisan Policy Center details, **it won't last very long**.¶ If the "X" date turns out to be Oct. 18, Treasury would run about $106 billion short of the money it owes between then and Nov.15. That means it wouldn't be able to pay the equivalent of a third of all the bills due during that period.¶ Here's why: Treasury handles about 80 million payments a month. Those payments are not evenly spaced out so on some days more is owed than on others. And the revenue flowing into federal coffers is unpredictable and varies from day to day.¶ Payments include IRS refunds, Social Security and veterans benefits, Medicare reimbursements for doctors and hospitals, bond interest owed investors, payments to contractors and paychecks for federal workers and military personnel.¶ If Congress fails to act in time, Treasury will have to make difficult -- and legally questionable -- decisions about who should get paid and who should be stiffed. It may decide to pay some bills in full and on time and not others.¶ Or it may decide to delay all payments due on a given day until it has sufficient revenue on hand to pay in full. in a Treasury Inspector General's report that this might be the most plausible and least harmful approach.¶ But under that scenario, **delays would grow over time from a day or two to several weeks**. For example, the payments due to seniors, veterans and active duty military personnel on Nov. 1 wouldn't go out until Nov. 13.¶ In any case, the expectation is that the agency will try to prioritize payments to bond investors over everyone else, lest the financial markets go haywire. Politically, of course, that carries risk, said Steve Bell, the senior director of the Bipartisan Policy Center's economic policy project.¶ "There's a political danger you'll be accused of paying bondholders over Social Security recipients," Bell said.¶ On both Oct. 23 and Nov. 14, $12 billion in Social Security benefits come due, while another $25 billion comes due on Nov. 1, according to the analysis.¶ Meanwhile, on Oct. 24, Treasury will have to roll over $57 billion in outstanding debt and another $115 billion on Oct. 31. Normally that's not a problem, because U.S. Treasury auctions attract a lot of buyers willing to purchase bonds at low rates.¶ But if those rollover dates come after the "X" date, and **the perception is that the United States is defaulting on some of its obligations, Treasury could have trouble finding enough buyers or investors could demand higher interest rates**.¶ The debt ceiling is currently set at $16.7 trillion. That ceiling was reached on May 19, and ever since Treasury has been using a host of special measures to keep the country's borrowing at or below that ceiling. But those measures will be exhausted by mid-October, according to Treasury.¶ If lawmakers want to raise the ceiling enough to get past the 2014 midterm elections in November, the Bipartisan Policy Center estimates they will have to raise it by $1.1 trillion to $17.8 trillion. To top of page

#### C. Controlling impact --- only economic collapse can make major war fashionable again.

Donald Kagan, Senior Associate @ Carnegie Endowment for International Peace, Summer 1999 [“Is Major War obsolete? An Exchange," Survival]

There is yet another more critical factor that cannot be taken for granted: the continuous prosperity that underlies the current situation. It is 70 years since the last world-wide depression began. Will this prosperous condition without such world-wide depressions last forever? What will happen if it does not? Europe and the world had trouble sin the 1920s, but it took the Great Depression to blow away liberal regimes in Germany and Japan, and to unleash monstrous bellicose forces. Are we sure that would not happen again? Since we cannot be sure that it will not, we must face the real possibility that major war may yet again come into fashion, and that it will take considerable effort, especially by the US, to keep it at bay.

turns and solves terror

Harris and Burrows ‘9

(Mathew, PhD European History at Cambridge, counselor in the National Intelligence Council (NIC) and Jennifer, member of the NIC’s Long Range Analysis Unit “Revisiting the Future: Geopolitical Effects of the Financial Crisis” <http://www.ciaonet.org/journals/twq/v32i2/f_0016178_13952.pdf>)

Of course, the report encompasses more than economics and indeed believes the future is likely to be the result of a number of intersecting and interlocking forces. With so many possible permutations of outcomes, each with ample Revisiting the Future opportunity for unintended consequences, there is a growing sense of insecurity. Even so, history may be more instructive than ever. While we continue to believe that the Great Depression is not likely to be repeated, the lessons to be drawn from that period include the harmful effects on fledgling democracies and multiethnic societies (think Central Europe in 1920s and 1930s) and on the sustainability of multilateral institutions (think League of Nations in the same period). There is no reason to think that this would not be true in the twenty-first as much as in the twentieth century. For that reason, the ways in which the potential for greater conflict could grow would seem to be even more apt in a constantly volatile economic environment as they would be if change would be steadier. In surveying those risks, the report stressed the likelihood that terrorism and nonproliferation will remain priorities even as resource issues move up on the international agenda. Terrorism’s appeal will decline if economic growth continues in the Middle East and youth unemployment is reduced. For those terrorist groups that remain active in 2025, however, the diffusion of technologies and scientific knowledge will place some of the world’s most dangerous capabilities within their reach. Terrorist groups in 2025 will likely be a combination of descendants of long established groups\_inheriting organizational structures, command and control processes, and training procedures necessary to conduct sophisticated attacks\_and newly emergent collections of the angry and disenfranchised that become self-radicalized, particularly in the absence of economic outlets that would become narrower in an economic downturn.

The most dangerous casualty of any economically-induced drawdown of U.S. military presence would almost certainly be the Middle East. Although Iran’s acquisition of nuclear weapons is not inevitable, worries about a nuclear-armed Iran could lead states in the region to develop new security arrangements with external powers, acquire additional weapons, and consider pursuing their own nuclear ambitions. It is not clear that the type of stable deterrent relationship that existed between the great powers for most of the Cold War would emerge naturally in the Middle East with a nuclear Iran. Episodes of low intensity conflict and terrorism taking place under a nuclear umbrella could lead to an unintended escalation and broader conflict if clear red lines between those states involved are not well established. The close proximity of potential nuclear rivals combined with underdeveloped surveillance capabilities and mobile dual-capable Iranian missile systems also will produce inherent difficulties in achieving reliable indications and warning of an impending nuclear attack. The lack of strategic depth in neighboring states like Israel, short warning and missile flight times, and uncertainty of Iranian intentions may place more focus on preemption rather than defense, potentially leading to escalating crises. 36 Types of conflict that the world continues to experience, such as over resources, could reemerge, particularly if protectionism grows and there is a resort to neo-mercantilist practices. Perceptions of renewed energy scarcity will drive countries to take actions to assure their future access to energy supplies. In the worst case, this could result in interstate conflicts if government leaders deem assured access to energy resources, for example, to be essential for maintaining domestic stability and the survival of their regime. Even actions short of war, however, will have important geopolitical implications. Maritime security concerns are providing a rationale for naval buildups and modernization efforts, such as China’s and India’s development of blue water naval capabilities. If the fiscal stimulus focus for these countries indeed turns inward, one of the most obvious funding targets may be military. Buildup of regional naval capabilities could lead to increased tensions, rivalries, and counterbalancing moves, but it also will create opportunities for multinational cooperation in protecting critical sea lanes. With water also becoming scarcer in Asia and the Middle East, cooperation to manage changing water resources is likely to be increasingly difficult both within and between states in a more dog-eat-dog world.

### Debt Uq: Will Pass 2NC

#### Business groups and the Chamber of commerce are both wielding political power to negotiate the debt ceiling and avoid shutdown, Republicans will have to come around—that’s Pollways 9/19

#### A clean debt ceiling will pass now – statements prove

Bloomberg 9/19/13 ("Murray Sees Republican Yielding on Debt-Limit Cap (Transcript)")

HUNT: So what happens in the days to come? They’re going to - you know, with their - with their - with their base -¶ MURRAY: I am confident that they will come together with some mishmash policy of everything in the bag they’ve ever promised to the [Tea Party](http://topics.bloomberg.com/tea-party/), attach it to the debt ceiling, and try and send it over. Now, they haven’t been able to get the votes for anything yet -¶ HUNT: And when they do that -¶ MURRAY: - but we’ll see.¶ HUNT: When they do that, what’ll happen?¶ MURRAY: What will happen is that the Senate Democrats will say we are going to pass a clean debt ceiling. We have a responsibility as people who’ve been elected to govern to do the right thing.¶ HUNT: So no deals on the debt ceiling?¶ MURRAY: I see no deals on the debt ceiling.¶ HUNT: OK. So eventually Republicans are going to have to capitulate.¶ MURRAY: They did last time

#### Will Pass—Obama put the gun on the table

Forex Live, 9/17, (“Obama draws a red line as debt ceiling wrangling begins”, 9/19/2013, <http://www.forexlive.com/blog/2013/09/17/obama-draws-a-red-line-as-debt-ceiling-wrangling-begins/>)

The White House is taking a hard line on debt ceiling negotiations, saying it will not negotiate and that it will not accept measures to tie the debt limit increase to delaying or defunding Obamacare. If the government ran out of case, Lew says it would be ‘unworkable’ to try to prioritize payment obligations. He warns it could be ‘very dangerous’ to try to time a last-minute increase. I like this new tactic. Everyone is sick of the brinksmanship over the debt ceiling and by taking this line, Obama takes everything off the table and puts the gun on it.

### GOP Unity High

**GOP unity high – Boehner unifies even fiercest critics**

**Alberta 9/18**/13 Staff writer for nationaljournal.com “Boehner servs red meat, and republicans eat it up” http://www.nationaljournal.com/congress/boehner-serves-red-meat-and-republicans-eat-it-up-20130918

**Some of** House Speaker John **Boehner's fiercest conservative critics emerged from Wednesday morning's GOP Conference meeting visibly elated, heaping praise on Boehner and his leadership team for their politically risky proposal to temporarily fund the government while permanently defunding Obamacare.**¶"**I think our leadership has got it just right," said Rep.** Jim **Jordan** of Ohio, **who during the previous Congress often clashed with Boehner while leading the Republican Study Committee.** **Asked whether conservatives are pleased with Boehner's plan, Jordan replied, "Oh, yeah. Heck, yeah."**¶ **"Everything I heard in there was very positive," said Rep**. Mick **Mulvaney** of South Carolina, **who voted against Boehner in January's leadership elections.**¶ **Added Rep**. Matt **Salmon** of Arizona: "**I think it's the best plan I've heard in a long time."**¶ **Enthusiasm on the Right is seemingly justified. The proposal laid out by Boehner on Wednesday morning gives conservatives almost exactly what they've been asking for:** A short-term continuing resolution (this one expires Dec. 15); an extension of current, post-sequester spending levels ($986.3 billion, to be exact); and a promise to permanently remove funding for the Affordable Care Act (a memo from leadership says the CR language will "permanently and fully defund Obamacare spending through prohibiting discretionary and mandatory spending and rescinding all unobligated balances").¶ The funding proposal also incorporates the Full Faith and Credit Act, which leadership says would require the Treasury Department "to make good on public debt payments should America reach the debt ceiling." At the same time, it sets the table for a forthcoming GOP debt-ceiling proposal--perhaps arriving as early as next week--that will target longtime goals, such as entitlement reforms, the Keystone Pipeline, and, of course, defunding the Affordable Care Act.¶ "**This is a victory for the American people," said Rep**. Tom **Graves** of Georgia, **who provided Boehner a blueprint with a bill that would fund the government for fiscal 2014 while delaying and defunding Obamacare until 2015. Graves,** whose measure had attracted upwards of 70 conservative cosponsors, **said Boehner's leadership team "was very receptive" to his ideas after their plan dissolved late last week.**

### Debt Uq: A2 “No Negotiations”

#### Yes negotiations

New Republic 8/27/13 (“Obama Can Beat Republicans on Debt Ceiling and Sequester,” <http://www.newrepublic.com/article/114486/obama-can-beat-republicans-debt-ceiling-and-sequester>)

How should Obama approach the next installment of our ongoing fiscal groundhog day? The administration itself appears to be confused on this question. While the White House insists it won’t negotiate over raising the debt ceiling, negotiation appears to be precisely what it’s up to. Politico [reports](http://dyn.politico.com/printstory.cfm?uuid=DECAC848-5174-4F9F-96C4-B660F4A1E379) that White House officials are meeting with Republican senators on Thursday to explore a deal that would simultaneously fund the government past the September 30th end of the fiscal year, replace the sequester with a more sane combination of spending cuts and revenue, and raise the debt ceiling before it crushes us in mid-to-late October. This, to employ a clinical term, is nuts. Whether or not the White House maintains its no-debt-ceiling negotiation stance within these talks, the whole construct throws the GOP a lifeline where none would otherwise exist. After all, the Republican leadership knows it would be suicidal to force a debt-default by refusing to raise the debt ceiling. It also knows that forcing a government shutdown by failing to fund the government past September 30th would be politically disastrous. (John Boehner [has said](http://dyn.politico.com/printstory.cfm?uuid=DECAC848-5174-4F9F-96C4-B660F4A1E379) he believes it could cost Republicans their House majority.) But, of course, rank-and-file Republicans in Congress are demanding that their leadership hold the line on at least one, and preferably both, of those issues. The right-wingers want their leadership to balk at keeping the government open unless they can first defund Obamacare, and to resist raising the debt ceiling unless they extract massive additional spending cuts, particularly from entitlement programs. Boehner’s only hope of navigating the vanishingly small space between his House lunatics and, well, reality is to combine both issues and the sequester into one massive negotiation. In that scenario, Boehner would agree to replace the sequester and to raise the debt ceiling in exchange for cuts to entitlement spending. The logic, as Politico [explains](http://dyn.politico.com/printstory.cfm?uuid=DECAC848-5174-4F9F-96C4-B660F4A1E379) it, is that Obama could claim he only negotiated over the sequester, not the debt ceiling (his ostensible red line). For his part, Boehner would be able to claim he won spending cuts in exchange for raising the debt ceiling, allowing him to save face before his caucus. Meanwhile, the deal for replacing the sequester would fund the government during the next fiscal year, defusing the shutdown threat as well. Long story short: The White House willingness to engage in a multi-issue mega-negotiation plays entirely into Boehner’s hand. It’s basically a strategy designed to maximize Republican leverage and minimize Obama’s. At the very least, the White House should want to keep each track of the negotiation unambiguously separate, forcing Boehner to acknowledge his terrible bargaining position.

### Debt Uq: A2 “Syria”

#### Syria won’t affect the domestic agenda – it wasn’t along party lines, and domestic issues will dominate the midterm elections

Lerer 9-12 (Lisa, Obama Syria Reversal Sets Stage for Fights With Congress, Bloomberg, 12 September 2013, http://www.bloomberg.com/news/2013-09-12/obama-syria-reversal-sets-stage-for-fights-with-congress.html, da 9-13-13) PC

The White House and its allies argue that the debate over Syria won’t hurt Obama on other issues, simply because the fight didn’t break along traditional party lines and is unlikely to resonate in the 2014 congressional elections. A coalition of small-government Republicans wary of U.S. involvement overseas and Democrats who warned of the risk of entering another Middle Eastern war lined up against Obama’s Syria plan, likely killing its chances of passage if there had been a vote in the House.¶ Those Democrats, Obama supporters say, will stick with the president on economic issues, while many of those Republicans will always be lined up against him.¶ Representative Steve Israel of New York, head of Democratic Congressional Campaign Committee, said the ability of the party’s candidates to sell the benefits of the health-care law and outline their economic proposals will be far more important in their races than talking about Syria.¶ “2014 is not going to be a referendum on Syria,” Israel told reporters on Sept. 10 at a Christian Science Monitor breakfast. “I cannot imagine voters waking up in one year and two months saying they are going to cast their vote on Syria.”¶ The White House declined to comment on notifying Boehner and Cantor about Obama’s decision to hold off on congressional votes on Syria.

#### Syria doesn’t thump – Dems still have Obama’s back

Lisa Lerer, analyst, 9-12-2013, “Obama Syria Reversal Sets Stage for Fights With Congress” Bloomberg, http://www.bloomberg.com/news/2013-09-12/obama-syria-reversal-sets-stage-for-fights-with-congress.html

And it comes at a perilous time, as Obama and congressional Republicans need to come to an agreement to avoid a government shutdown after the 2013 budget year ends on Sept. 30. The House plans to be in session only six working days before the deadline, and already Boehner and Cantor have delayed a vote on a spending proposal amid opposition by fellow Republicans who want the party to take a tougher stand against funding Obama’s health-care law.¶ “He just cannot follow through,” Republican Senator Bob Corker, who is part of a group working with the administration on fiscal issues, said of Obama in an interview with CNN. “He’s a diminished figure here on Capitol Hill.”¶ Debt Limit¶ Along with grappling with the 2014 budget, within weeks both sides also will need to find a way to stave off a possible government default as the nation reaches its borrowing limit. Obama also needs to woo Republican support for Senate confirmation of his eventual pick to lead the Federal Reserve, a process that could begin as early as this month.¶ Republicans yesterday seized on Obama’s reversal on Syria as a sign that he is coming into the fall negotiations with a weakened hand politically, as the president decided to delay a strike against Syrian President Bashar al-Assad’s regime to explore a possible diplomatic solution proposed by Russian President Vladimir Putin.¶ “If this were a tennis match, it would be the umpire shouting, ‘Advantage Putin!’ He seems to be running circles around this administration,” Senator Rand Paul, a Republican from Kentucky who is opposed to military action in Syria, said on Glenn Beck’s radio show on TheBlaze.¶ No Effect¶ The White House and its allies argue that the debate over Syria won’t hurt Obama on other issues, simply because the fight didn’t break along traditional party lines and is unlikely to resonate in the 2014 congressional elections. A coalition of small-government Republicans wary of U.S. involvement overseas and Democrats who warned of the risk of entering another Middle Eastern war lined up against Obama’s Syria plan, likely killing its chances of passage if there had been a vote in the House.¶ Those Democrats, Obama supporters say, will stick with the president on economic issues, while many of those Republicans will always be lined up against him.

### Dem Unity: High Now—F/L

**Dem unity high –** **democrats back Obama on debt ceiling**

**Dorning and Hunter 9/17/**13 staff writers for Bloomberg.com “Obama rifts with allies on Summers-Syria limit debt dealing” http://www.bloomberg.com/news/2013-09-17/obama-s-summers-syria-rifts-with-allies-limit-room-on-debt-deal.html

**Senator** Richard **Durbin** of Illinois, **the chamber’s second-ranking Democrat, said today that Democrats are united with Obama on the need for a “clean” debt-ceiling increase. The anti-Summers movement reflected “strong feelings that many of us have” about making the Fed more responsive on issues such as income inequality**, he said. ¶ **Republican leaders are dealing with their own divisions.** House Speaker John Boehner, an Ohio Republican, had to pull back a vote last week on a plan to avoid a partial government shutdown in October after it became clear it couldn’t win enough support from members of his own party. ¶ Congress and the Obama administration are facing fiscal decisions that include funding the government by Sept. 30 to avoid a federal shutdown and raising the nation’s $16.7 trillion debt ceiling. Boehner said in July that his party wouldn’t increase the borrowing limit “without real cuts in spending” that would further reduce the deficit. The administration insists it won’t negotiate on the debt ceiling.

### Debt Internal: Obama Pushing

#### Obama pushing to raise the debt ceiling

Reuters 9/18 (Mark Felsenthal and Roberta Rampton, Washington, 9/18/13, “Obama asks leaders to push Congress to raise debt limit”, http://www.reuters.com/article/2013/09/18/us-usa-economy-obama-idUSBRE98H0BT20130918, zzx)

(Reuters) - President Barack Obama appealed to business leaders on Wednesday to urge Congress to approve an increase in the U.S. debt limit without any conditions attached and avoid a default that is possible as early as mid-October. "It is going to be important for all of you over the next several weeks to understand what's at stake and to make sure that you are using your influence in whatever way we can to get back to what used to be called regular order around here," Obama told the Business Roundtable. The president's speech to about 100 top corporate executives was part of an effort to focus on domestic budget and economic issues after a month dominated by foreign policy, mainly the conflict in Syria.

### Ptx Lx: Congress 2NC

#### Fighting to defend his war power will sap Obama’s capital, trading off with rest of agenda

Kriner, 10 --- assistant professor of political science at Boston University

(Douglas L. Kriner, “After the Rubicon: Congress, Presidents, and the Politics of Waging War”, University of Chicago Press, Dec 1, 2010, page 68-69)

While congressional support leaves the president’s reserve of political capital intact, congressional criticism saps energy from other initiatives on the home front by forcing the president to expend energy and effort defending his international agenda. Political capital spent shoring up support for a president’s foreign policies is capital that is unavailable for his future policy initiatives. Moreover, any weakening in the president’s political clout may have immediate ramifications for his reelection prospects, as well as indirect consequences for congressional races.59 Indeed, Democratic efforts to tie congressional Republican incumbents to President George W. Bush and his war policies paid immediate political dividends in the 2006 midterms, particularly in states, districts, and counties that had suffered the highest casualty rates in the Iraq War. 60 In addition to boding ill for the president’s perceived political capital and reputation, such partisan losses in Congress only further imperil his programmatic agenda, both international and domestic. Scholars have long noted that President Lyndon Johnson’s dream of a Great Society also perished in the rice paddies of Vietnam. Lacking the requisite funds in a war-depleted treasury and the political capital needed to sustain his legislative vision, Johnson gradually let his domestic goals slip away as he hunkered down in an effort first to win and then to end the Vietnam War. In the same way, many of President Bush’s highest second-term domestic proprieties, such as Social Security and immigration reform, failed perhaps in large part because the administration had to expend so much energy and effort waging a rear-guard action against congressional critics of the war in Iraq.61 When making their cost-benefit calculations, presidents surely consider these wider political costs of congressional opposition to their military policies. If congressional opposition in the military arena stands to derail other elements of his agenda, all else being equal, the president will be more likely to judge the benefits of military action insufficient to its costs than if Congress stood behind him in the international arena.

#### Congressional restrictions on presidential war powers are controversial

Yoo 13 John, Former Deputy Assistant Attorney General and Law Professor @ Cal Berkley, has written several books on presidential powers, ABA Law Journal, “War Powers Belong to the President”, http://www.abajournal.com/magazine/article/war\_powers\_belong\_to\_the\_president

Common sense does not support replacing the way our Constitution has worked in wartime with a radically different system that mimics the peacetime balance of powers between president and Congress. If the issue were the environment or Social Security, Congress would enact policy first and the president would faithfully implement it second. But the Constitution does not duplicate this system in war. Instead, our framers decided that the president would play the leading role in matters of national security.¶ Those in the pro-Congress camp call upon the anti-monarchical origins of the American Revolution for support. If the framers rebelled against King George III’s dictatorial powers, surely they would not give the president much authority. It is true that the revolutionaries rejected the royal prerogative, and they created weak executives at the state level. Americans have long turned a skeptical eye toward the growth of federal powers. But this may mislead some to resist the fundamental difference in the Constitution’s treatment of domestic and foreign affairs. For when the framers wrote the Constitution in 1787 they rejected these failed experiments and restored an independent, unified chief executive with its own powers in national security and foreign affairs.¶ The most important of the president’s powers are commander in chief and chief executive. As Alexander Hamilton wrote in Federalist 74, “The direction of war implies the direction of the common strength, and the power of directing and employing the common strength forms a usual and essential part in the definition of the executive authority.” Presidents should conduct war, he wrote, because they could act with “decision, activity, secrecy and dispatch.” In perhaps his most famous words, Hamilton wrote: “Energy in the executive is a leading character in the definition of good government. ... It is essential to the protection of the community against foreign attacks.”¶ The framers realized the obvious. Foreign affairs are unpredictable and involve the highest of stakes, making them unsuitable to regulation by pre-existing legislation. Instead, they can demand swift, decisive action—sometimes under pressured or even emergency circumstances—that is best carried out by a branch of government that does not suffer from multiple vetoes or is delayed by disagreements. Congress is too large and unwieldy to take the swift and decisive action required in wartime. Our framers replaced the Articles of Confederation, which had failed in the management of foreign relations because they had no single executive, with the Constitution’s single president for precisely this reason. Even when it has access to the same intelligence as the executive branch, Congress’ loose, decentralized structure would paralyze American policy while foreign threats grow.¶ Congress has no political incentive to mount and see through its own wartime policy. Members of Congress, who are interested in keeping their seats at the next election, do not want to take stands on controversial issues where the future is uncertain. They will avoid like the plague any vote that will anger large segments of the electorate. They prefer that the president take the political risks and be held accountable for failure.¶ Congress’ track record when it has opposed presidential leadership has not been a happy one. Perhaps the most telling example was the Senate’s rejection of the Treaty of Versailles at the end of World War I. Congress’ isolationist urge kept the United States out of Europe at a time when democracies fell and fascism grew in their place. Even as Europe and Asia plunged into war, Congress passed the Neutrality Acts designed to keep the United States out of the conflict. President Franklin Roosevelt violated those laws to help the Allies and draw the nation into war against the Axis. While pro-Congress critics worry about a president’s foreign adventurism, the real threat to our national security may come from inaction and isolationism.

### Debt Internal: PC Key

#### Obama is pushing Congress to resolve the debt ceiling – political capital is key to success

Pace 9/12 Julie, AP White House correspondent, Syria debate on hold, Obama refocuses on agenda, The Fresno Bee, 9/12/13, http://www.fresnobee.com/2013/09/12/3493538/obama-seeks-to-focus-on-domestic.html

With a military strike against Syria on hold, President Barack Obama tried Thursday to reignite momentum for his second-term domestic agenda. But his progress could hinge on the strength of his standing on Capitol Hill after what even allies acknowledge were missteps in the latest foreign crisis.¶ "It is still important to recognize that we have a lot of things left to do here in this government," Obama told his Cabinet, starting a sustained White House push to refocus the nation on matters at home as key benchmarks on the budget and health care rapidly approach.¶ "The American people are still interested in making sure that our kids are getting the kind of education they deserve, that we are putting people back to work," Obama said.¶ The White House plans to use next week's five-year anniversary of the 2008 financial collapse to warn Republicans that shutting down the government or failing to raise the debt limit could drag down the still-fragile economy. With Hispanic Heritage Month to begin Monday, Obama is also expected to press for a stalled immigration overhaul and urge minorities to sign up for health care exchanges beginning Oct. 1.¶ Among the events planned for next week is a White House ceremony highlighting Americans working on immigrant and citizenship issues. Administration officials will also promote overhaul efforts at naturalization ceremonies across the country. On Sept. 21, Obama will speak at the Congressional Black Caucus Gala, where he'll trumpet what the administration says are benefits of the president's health care law for African-Americans and other minorities.¶ Two major factors are driving Obama's push to get back on track with domestic issues after three weeks of Syria dominating the political debate. Polls show the economy, jobs and health care remain Americans' top concerns. And Obama has a limited window to make progress on those matters in a second term, when lame-duck status can quickly creep up on presidents, particularly if they start losing public support.¶ Obama already is grappling with some of the lowest approval ratings of his presidency. A Pew Research Center/USA Today poll out this week put his approval at 44 percent. That's down from 55 percent at the end of 2012.¶ Potential military intervention in Syria also is deeply unpopular with many Americans, with a Pew survey finding that 63 percent opposing the idea. And the president's publicly shifting positions on how to respond to a deadly chemical weapons attack in Syria also have confused many Americans and congressional lawmakers.¶ "In times of crisis, the more clarity the better," said Sen. Lindsey Graham, R-S.C., a strong supporter of U.S. intervention in Syria. "This has been confusing. For those who are inclined to support the president, it's been pretty hard to nail down what the purpose of a military strike is."¶ For a time, the Obama administration appeared to be barreling toward an imminent strike in retaliation for the Aug. 21 chemical weapons attack. But Obama made a sudden reversal and instead decided to seek congressional approval for military action.¶ Even after administration officials briefed hundreds of lawmakers on classified intelligence, there appeared to be limited backing for a use-of-force resolution on Capitol Hill. Rather than face defeat, Obama asked lawmakers this week to postpone any votes while the U.S. explores the viability of a deal to secure Syria's chemical weapons stockpiles.¶ That pause comes as a relief to Obama and many Democrats eager to return to issues more in line with the public's concerns. The most pressing matters are a Sept. 30 deadline to approve funding to keep the government open — the new fiscal year begins Oct. 1 — and the start of sign-ups for health care exchanges, a crucial element of the health care overhaul.¶ On Wednesday, a revolt by tea party conservatives forced House Republican leaders to delay a vote on a temporary spending bill written to head off a government shutdown. Several dozen staunch conservatives are seeking to couple the spending bill with a provision to derail implementation of the health care law.¶ The White House also may face a fight with Republicans over raising the nation's debt ceiling this fall. While Obama has insisted he won't negotiate over the debt limit, House Speaker John Boehner on Thursday said the GOP will insist on curbing spending.

#### A strong Obama is critical to prevent quid pro quos on the budget deal – the plan would derail

CNN Money 9/12/13 ("The Never-Ending Charade of Debt Ceiling Fights")

So, you're saying they only have a few weeks to work this out? Yup.¶ House Republicans say they will demand spending cuts and fiscal reforms in exchange for their support of a debt ceiling increase. The White House, meanwhile, has said it won't negotiate quid pro quos.¶ The question is when will Republicans or the White House -- or both - bend in the standoff? If recent history is any guide it likely will be just in the nick of time.¶ And there's no telling how creative the deal they cut will be.¶ But any bad blood created along the way almost certainly would poison other budget negotiations. 

#### Political capital is key to get the job done

Lillis and Wasson 9/7, Mike, the Hill writer, Erik, the Hill writer, “Fears of wounding Obama weigh heavily on Democrats ahead of vote,” 9/7, http://thehill.com/homenews/house/320829-fears-of-wounding-obama-weigh-heavily-on-democrats#ixzz2fOPUfPNr

The prospect of wounding President Obama is weighing heavily on Democratic lawmakers as they decide their votes on Syria. **Obama needs** all the political capital he can muster **heading into bruising battles with the GOP over fiscal spending and the debt ceiling**. Democrats want Obama to use his popularity to reverse automatic spending cuts already in effect and pay for new economic stimulus measures through higher taxes on the wealthy and on multinational companies. But if the request for authorization for Syria military strikes is rebuffed, some fear it could limit Obama's power in those high-stakes fights. That has left Democrats with an agonizing decision: vote "no" on Syria and possibly encourage more chemical attacks while weakening their president, or vote "yes" and risk another war in the Middle East. “I’m sure a lot of people are focused on the political ramifications,” a House Democratic aide said. Rep. Jim Moran (D-Va.), a veteran appropriator, said the failure of the Syria resolution would diminish Obama's leverage in the fiscal battles. "It doesn't help him," Moran said Friday by phone. "**We need a** maximally strong president **to get us through this fiscal thicket. These are going to be very difficult votes."**

### Debt Internal: A2 “Compartmentalization”

#### Vote switching happens—even on unrelated legislation

Dmitri **Simes**, Executive Director, Nixon Center and Paul Saunders, “START of a Pyrrhic Victory,” NATIONAL INTEREST, 20**10**, http://nationalinterest.org/commentary/start-pyrrhic-victory-4626, accessed 10-2-11.

Had the lame-duck session not already been so contentious, this need not have been a particular problem. Several Senate Republicans indicated openness to supporting the treaty earlier in the session, including Senator Lindsey Graham and Senator John McCain. Senator Jon Kyl—seen by many as leading Republican opposition to the agreement—was actually quite careful to avoid saying that he opposed New START until almost immediately prior to the vote. Our own conversations with Republican Senate sources during the lame duck session suggested that several additional Republicans could have voted to ratify New START under other circumstances; Senator Lamar Alexander is quoted in the press as saying that Republican anger over unrelated legislation cost five to ten votes. By the time the Senate reached New START, earlier conduct by Senate Democrats and the White House had alienated many Republicans who could have voted for the treaty. That the administration secured thirteen Republican votes (including some from retiring Senators) for the treaty now—and had many more potentially within its grasp—makes clear what many had believed all along: it would not have been so difficult for President Obama to win the fourteen Republican votes needed for ratification in the new Senate, if he had been prepared to wait and to work more cooperatively with Senate Republicans. Senator Kerry’s comment that “70 votes is yesterday’s 95” ignores the reality that he and the White House could have secured many more than 70 votes had they handled the process differently and attempts to shift the blame for the low vote count onto Republicans.

### Debt Impact: Economy Wall

**Economic decline causes war – studies prove**

**Royal**, Department of Defense Cooperative threat reduction director, 20**10** [Jedediah, Economic Integration, Economic Signaling and the Problem of Economic Crises, in Economics of War and Peace: Economic, Legal and Political Perspectives, p.213-4]

Second, on a dyadic level, Copeland's (1996, 2000) theory of trade expectations suggests that 'future expectation of trade' is a significant variable in understanding economic conditions and security behaviour of states. He argues that interdependent states are likely to gain pacific benefits from trade so long as they have an optimistic view of future trade relations. However**, if the expectations of future trade decline, particularly for difficult to replace items such as energy resources, the likelihood for conflict increases, as states will be inclined to use force to gain access to those resources**. **Crises could** potentially **be the trigger for decreased trade expectations either on its own or because it triggers protectionist moves by interdependent states**.4 Third, others have considered **the link between economic decline and external armed conflict** at a national level. Bloomberg and Hess (2002) **find a strong correlation between internal conflict and external conflict, particularly during periods of economic downturn.** They write, **The linkages between internal and external conflict and prosperity are strong and mutually reinforcing**. Economic conflict tends to spawn internal conflict, which in turn returns the favour. Moreover, the presence of a recession tends to amplify the extent to which international and external conflicts self-reinforce each other (Bloomberg & Hess, 2002, p.89) Economic decline has also been linked with an increase in the likelihood of terrorism (Blomberg, Hess, & Weerapana, 2004), which has the capacity to spill across borders and lead to external tensions. Furthermore, crises generally reduce the popularity of a sitting government. ‘**Diversionary theory’ suggests that, when facing unpopularity arising from economic decline, sitting governments have increased incentives to fabricate external military conflicts** to create a 'rally around the flag' effect. Wang (1996), DeRouen (1995), and Bloomberg, Hess, and Thacker (2006) find supporting evidence showing that economic decline and use of force are at least indirectly correlated. Gelpi (1997), Miller (1999), and Kisangani and Pickering (2009) suggest that the tendency towards diversionary tactics arc greater for democratic states than autocratic states, due to the fact that democratic leaders are generally more susceptible to being removed from office due to lack of domestic support. DeRouen (2000) has provided evidence showing that **periods of weak economic performance in the United States, and thus weak Presidential popularity, are statistically linked to an increase in the use of force**. In summary, recent economic scholarship positively correlates economic integration with an increase in the frequency of economic crises, whereas **political science scholarship links economic decline with external conflict** at systemic, dyadic and national levels.5 This implied connection between integration, crises and armed conflict has not featured prominently in the economic-security debate and deserves more attention.2